



# **Cleveland Board of Zoning Appeals**

**Monday October 2, 2023 at 9:30 AM**

**\*\*PLEASE MUTE YOUR MICROPHONE\*\***

Kelley Britt, Board Chair

Elizabeth Kukla, Secretary

# Cleveland Board of Zoning Appeals

October 2, 2023

## Preamble

IN COMPLIANCE WITH NOTIFICATION REQUIREMENTS OF THE CITY'S OPEN MEETING LAW, AND SECTION 101.021 OF THE CODIFIED ORDINANCES OF CLEVELAND, OHIO, 1976, NOTICE OF THIS MEETING HAS BEEN PUBLICLY POSTED.

ALL BOARDS AND COMMISSIONS UNDER THE PURVIEW OF THE CITY PLANNING DEPARTMENT CONDUCTS ITS MEETINGS ACCORDING TO ROBERT'S RULES OF ORDER. ACTIONS DURING THE MEETING WILL BE TAKEN BY VOICE VOTE. ABSTENTIONS FROM ANY VOTE DUE TO A CONFLICT OF INTEREST SHOULD BE STATED FOR THE RECORD PRIOR TO THE TAKING OF ANY VOTE.

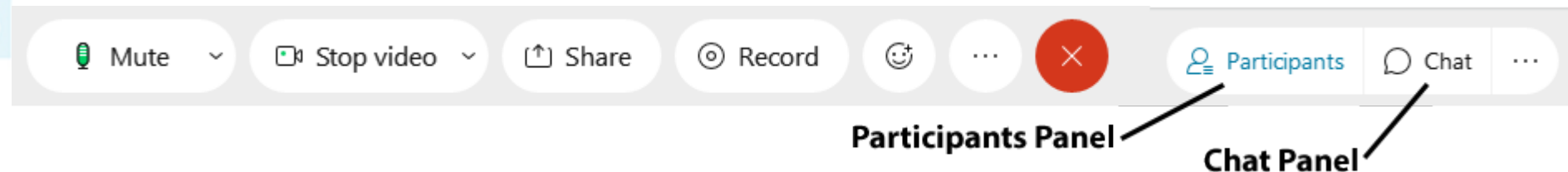
IN ORDER TO ENSURE THAT EVERYONE PARTICIPATING IN THE MEETING HAVE THE OPPORTUNITY TO BE HEARD, WE ASK THAT YOU USE THE RAISE HAND FEATURE BEFORE ASKING A QUESTION OR MAKING A COMMENT. THE RAISE HAND FEATURE CAN BE FOUND IN THE PARTICIPANTS PANEL ON THE DESKTOP AND MOBILE VERSION AND ACTIVATED BY CLICKING THE HAND ICON. PLEASE WAIT FOR THE CHAIR OR FACILITATOR TO RECOGNIZE YOU AND BE SURE TO SELECT UNMUTE AND ANNOUNCE YOURSELF BEFORE YOU SPEAK.

WHEN FINISHED SPEAKING, PLEASE LOWER YOUR HAND BY CLICKING ON THE RAISE HAND ICON AGAIN AND MUTE YOUR MICROPHONE.

WE WILL ALSO BE UTILIZING THE CHAT FEATURE TO COMMUNICATE WITH PARTICIPANTS. THE CHAT FEATURE CAN BE ACTIVATED BY CLICKING THE CHAT BUTTON LOCATED ON THE BOTTOM OF THE WEBEX SCREEN.



CALL-IN USERS CAN UNMUTE BY USING \*6





# Cleveland Board of Zoning Appeals

## October 2, 2023

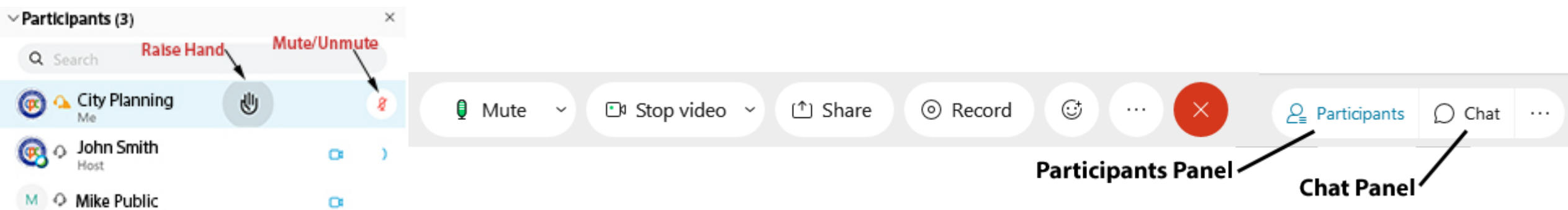
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### Preamble

**ALL MEETING ACTIVITY IS BEING RECORDED VIA THE WEBEX PLATFORM.  
THESE PROCEEDINGS ARE ALSO BEING LIVE STREAMED VIA YOUTUBE FOR PUBLIC  
VIEW.  
WE HAVE PROVIDED A LINK TO THE MEETING FOR THOSE WHO WISH TO SPEAK ON A  
PARTICULAR CASE VIA OUR WEBSITE AND EMAIL.**

**ALL REQUESTS TO SPEAK ON A PARTICULAR MATTER HAVE BEEN CONSIDERED.**

**WE HAVE ALSO RECEIVED EMAILS FROM THOSE WHO HAVE PROVIDED WRITTEN  
COMMENT ON A PARTICULAR MATTER.**



# Cleveland Board of Zoning Appeals

## Call to Order & Roll Call

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# Cleveland Board of Zoning Appeals

## Postponements/Withdrawals

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**NONE TODAY**



# Cleveland Board of Zoning Appeals

## Public Hearing

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# Public Hearing

**POSTPONED FROM SEPTEMBER 11TH**



**Calendar No. 23-142:**

**6901 Morgan Ave.**

**Ward 6**

Thornton Development Group, owner, proposes to install approximately 1212 linear feet of 10 feet high security fencing in actual front yard and actual interior side yard in Semi-Industry Zoning District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 358.05(a)(1) which states that in Semi Industry Districts, fences in actual front yards and in actual side street yards shall not exceed six (6) feet in height and shall be at least 50% open. In actual interior side yard and actual rear yard a fence shall not exceed 6 feet in height and may be open or solid. 1212 linear feet of 10 feet high security fence is proposed in the actual front yard, actual interior side yard and actual rear yard.



# Public Hearing

Calendar No. 23-142:

6901 Morgan Ave.

Ward 6



## SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE  
IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

**Please Raise Your Hand.**  
**Reply with I DO, YOUR NAME and YOUR ADDRESS.**





## HISTORY OF THE PROPERTY







## LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting an area variance from the fencing requirements of the zoning code.

To obtain the area variance, Appellant must prove that denying the request:

1. Will create a **practical difficulty** not generally shared by other land or buildings in the same district;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variance will not be contrary to the purpose and intent of the zoning code.









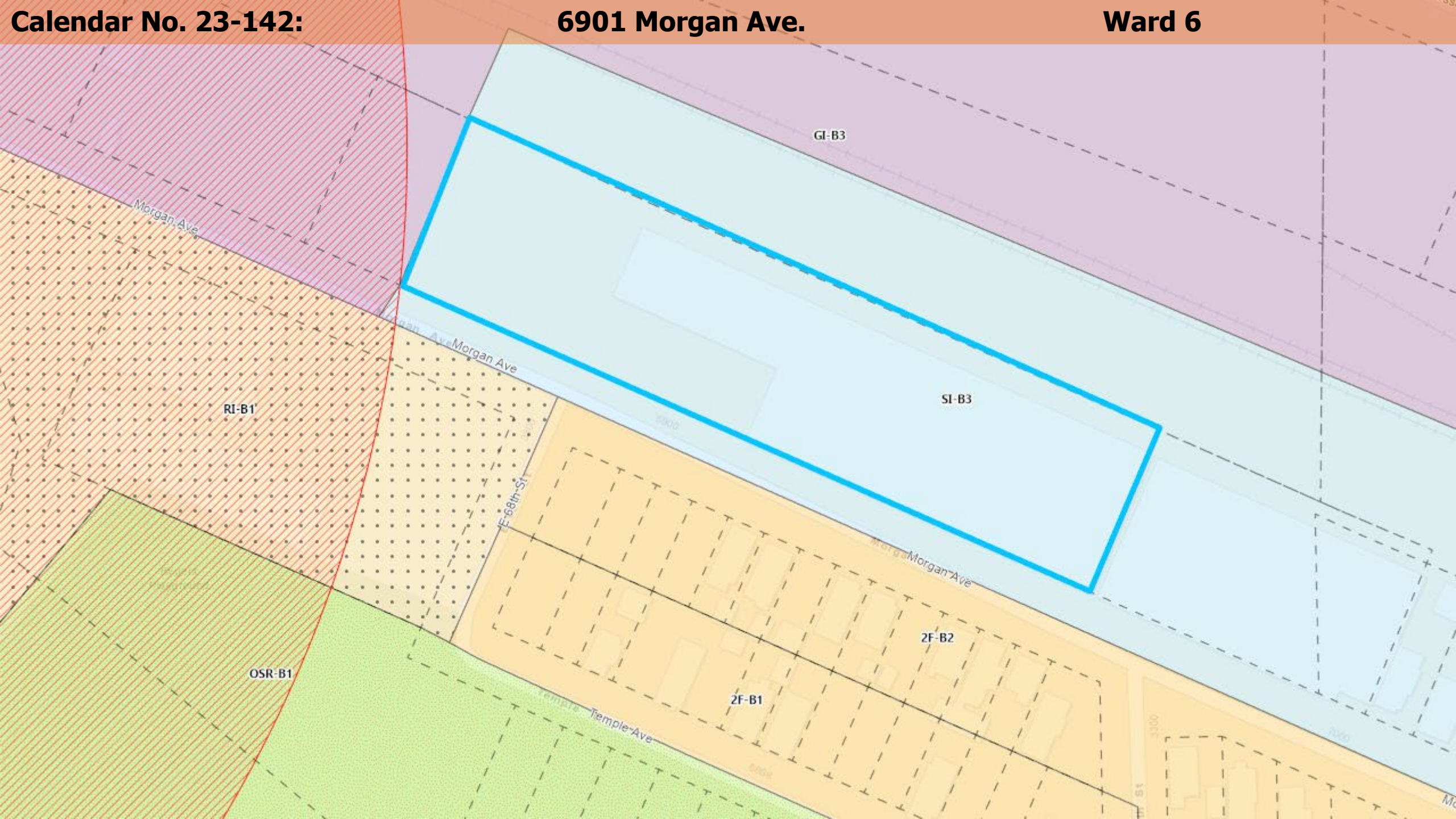
Bessemer Avenue

East 68th Street

Morgan Avenue

Temple Avenue





**Calendar No. 23-142:**

**6901 Morgan Ave.**

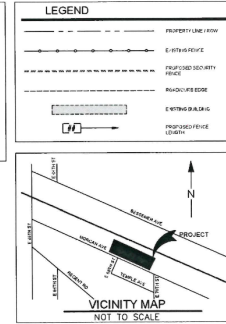
**Ward 6**



PROPERTY OWNER  
THORNTON DEVELOPMENT CORP  
8200 BESSEMER AVE  
CLEVELAND, OH 44127

PROJECT DATA  
APN: 125-31-002  
ZONING: SH-B3  
ACRES: 1.81

SITE PLAN  
REQUEST TO AUTHORIZE A  
SECURITY FENCE FOR:  
FEDERAL EQUIPMENT COMPANY  
6901 MORGAN AVE  
CLEVELAND, OH 44127



#	DATE / DESCRIPTION



PROJECT  
FEDERAL EQUIPMENT COMPANY  
6901 MORGAN AVE  
CLEVELAND, OH 44127  
SHEET TITLE: SITE PLAN

APPLICANT: AMAROK  
REGISTRATION: ST 2714 FL  
LICENSE: 00-20201  
800-424-6189

DATE: 6/16/2023  
DRAWN BY: RLR  
SCALE: SEE PLAN

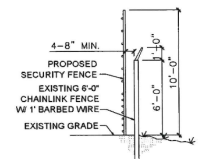
SHEET  
C1  
of 3

NOTES

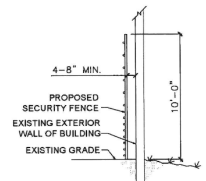
POLE LOCATIONS:  
STEEL POLES: TO BE LOCATED  
APPROXIMATELY ON EACH SIDE OF GATE(S) &  
EVERY 90' (OR GREATER) TURN IN FENCE LINE.  
FIBERGLASS/INTERMEDIATE POLES TO BE  
LOCATED APPROXIMATELY EVERY 30'

DISCLAIMER:  
POLE LOCATIONS MAY SLIGHTLY DEVIATE  
FROM STIPULATIONS ABOVE DUE TO ON-SITE  
CONDITIONS

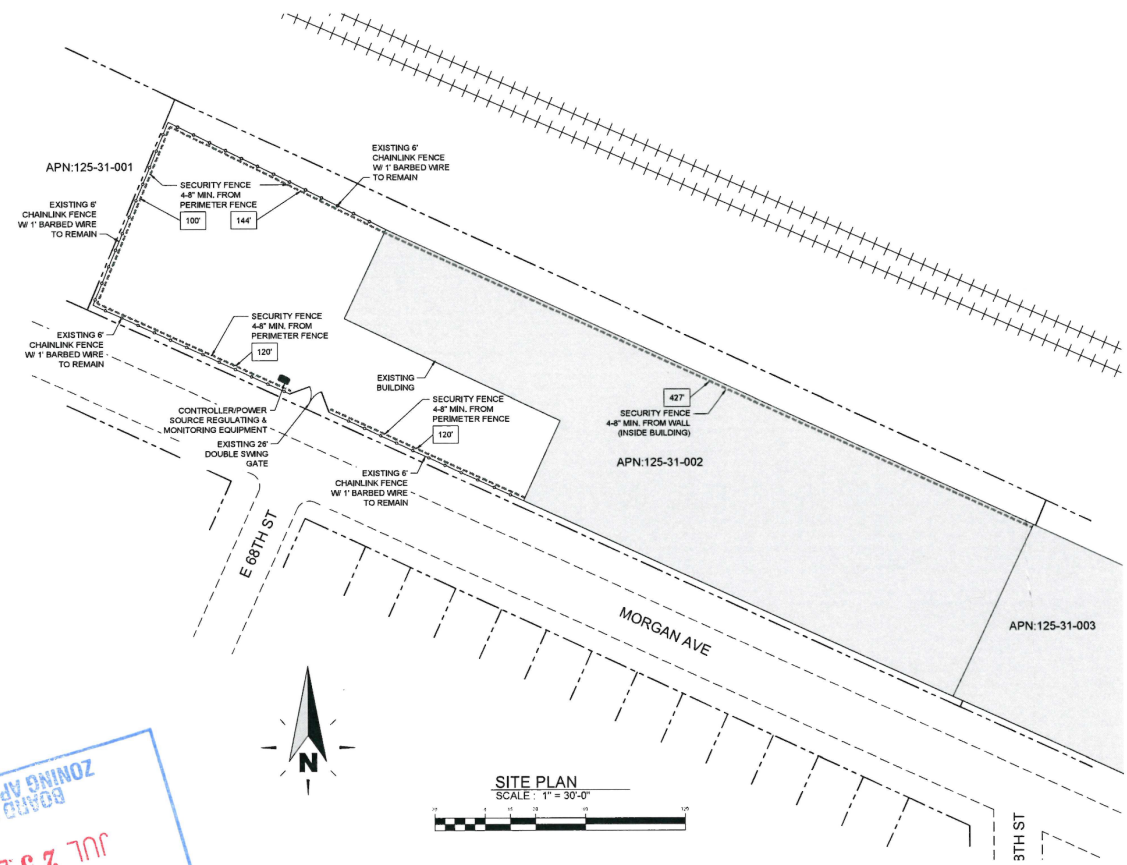
STORM DRAIN:  
NO STORM DRAIN IS BEING PROPOSED AS PART  
OF THIS PROJECT



1 PERIMETER FENCE SECTION  
NTS

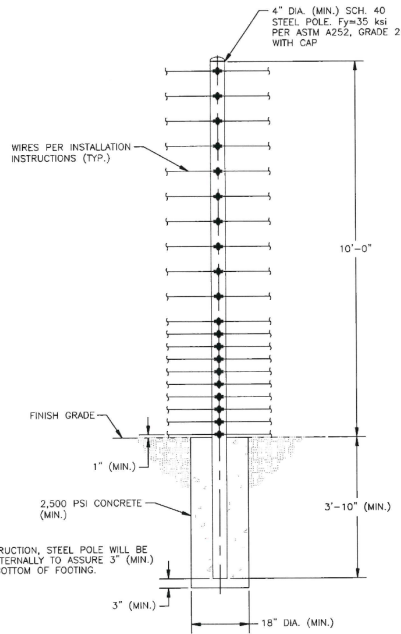


2 PERIMETER FENCE SECTION  
NTS



\*PROPOSED LOCATION OF ELECTRONICS ONLY, SUBJECT TO CHANGE  
BASED ON SITE CONDITIONS.

B2A 23-142

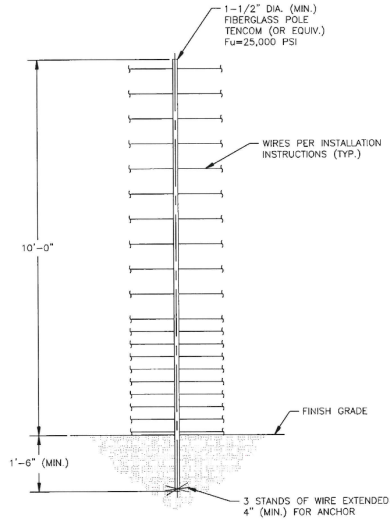


STEEL POLE DETAIL  
SCALE: NONE  
(STRUCTURAL)



WARNING SIGNS SHALL BE PLACED AT EACH ENTRANCE  
OF THE PROPERTY AND MAX 30 FEET ON CENTER THEREAFTER

EXAMPLE WARNING SIGN @ 9"x12"



FIBERGLASS POLE DETAIL  
SCALE: NONE  
(NON-STRUCTURAL, NON-LOAD BEARING WIRE SEPARATOR)

#### GATE DETAIL NOTES:

- BRACE BANDS ARE INSTALLED AS HIGH AS POSSIBLE UNDER #3 AND #9, 2" (MIN.) UNDER #12, #15, AND #17, UNDER #19 AND AS HIGH ON THE GATE AS POSSIBLE. MAXIMUM DISTANCE OF 2" BETWEEN BRACE BANDS.
- SPRINGS ARE LOCATED ON HINGE SIDE OF SWING GATE AND REAR OF SLIDE GATE.
- ALL CONTACTS MUST INCLUDE SPRINGS.
- ALL CONTACTS MUST HAVE BOLT THROUGH FIBERGLASS (NO SET SCREWS).
- ALL BRACE BANDS HOOKED TO CHAIN LINK MUST HAVE SET SCREW.
- EVERY GATE PANEL MUST HAVE A SIGN.
- ALL GATE CONTACTS MUST BE SECURE IN A MANNER THAT ENSURES CONTACT WILL EASILY BE MADE.
- GATE MOUNTS WILL NOT IMPACT THE FUNCTIONALITY OF THE GATE.

#### RAPID TIGHTENERS

RAPID TIGHTENERS ARE INSTALLED IN EVERY SECTION - BETWEEN 6" INCHES AND 3 FEET FROM A FIBERGLASS POLE - TOWARD THE CENTER OF THE RUN.

THE TIGHTENERS ARE ALTERNATED ON OPPOSITE SIDES OF THE POLE TO PREVENT GROUNDS FROM HITTING WIRES WITH CURRENT.

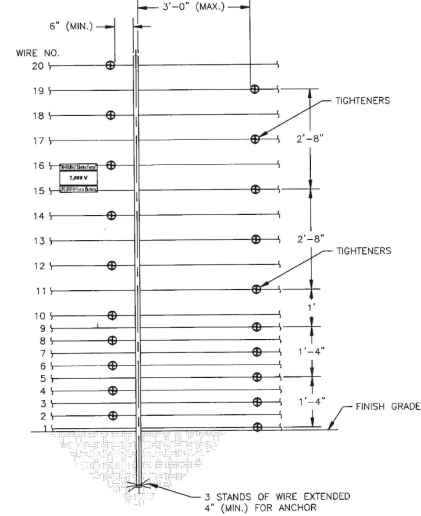
WIRE SHOULD BE WRAPPED TWO OR THREE TIMES AROUND EACH TIGHTENER.

#### WARNING SIGNS

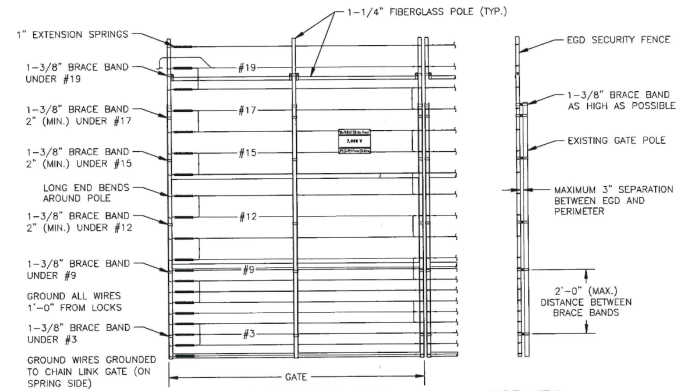
WARNING SIGNS MUST BE INSTALLED EVERY 30 FEET, WHICH IS THE MAXIMUM DISTANCE BETWEEN SIGNS.

ALL WARNING SIGNS SHOULD BE MOUNTED EITHER BETWEEN WIRES 15 & 16 OR AT BEST VISIBLE HEIGHT.

IF INSTALLED BEHIND A SOLID FENCE, WARNING SIGNS SHOULD ALSO BE PLACED ON OR ABOVE THE PERIMETER FENCE.



WIRE CONNECTIONS  
SCALE: NONE  
(FIBERGLASS POLE)



DOUBLE PANEL GATE  
GATE DETAIL  
SCALE: NONE

SIDE VIEW



#	DATE / DESCRIPTION



PROJECT:  
FEDERAL EQUIPMENT COMPANY  
6901 MORGAN AVE  
CLEVELAND, OH 44127

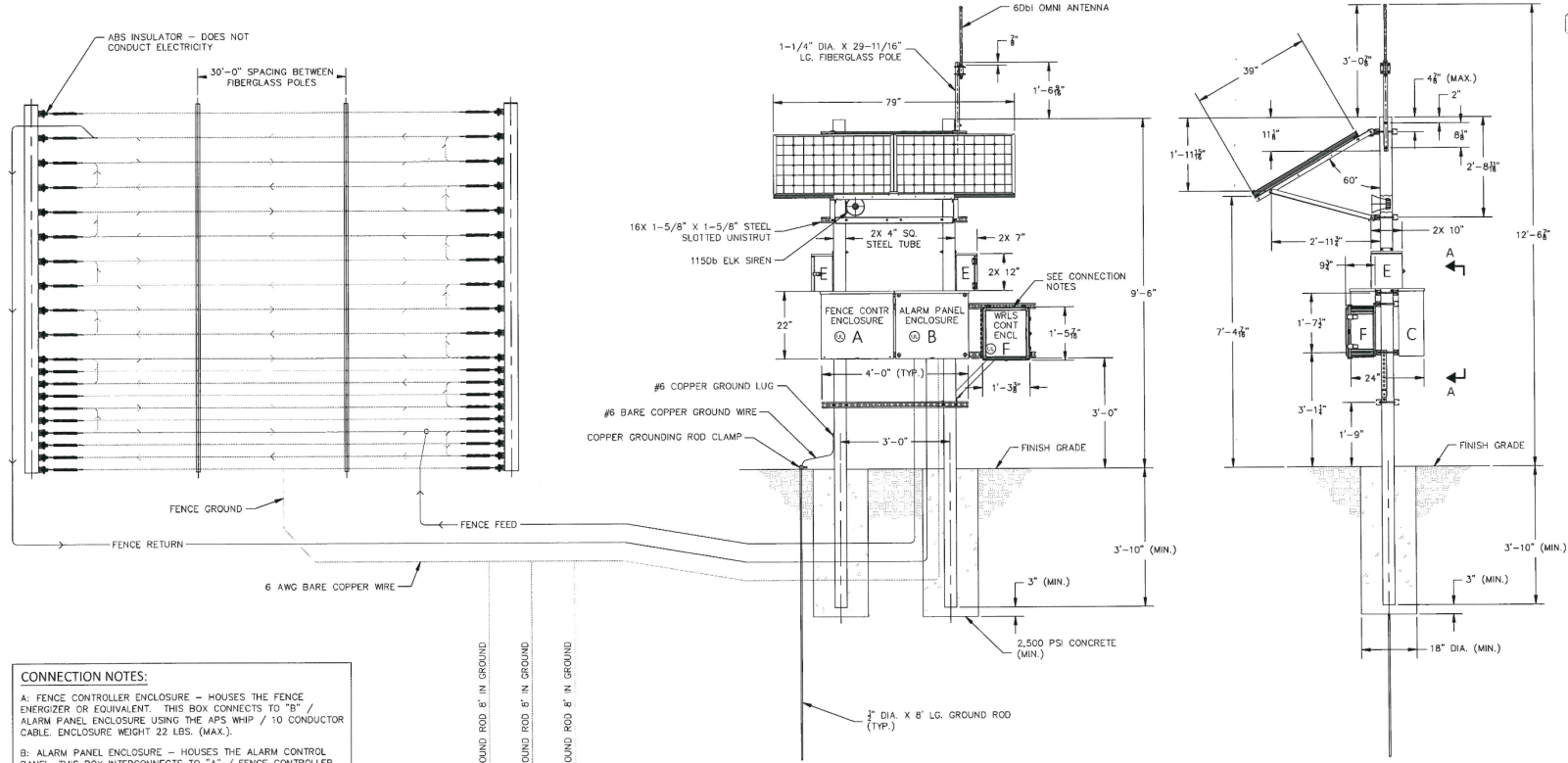
SHEET TITLE: TYPICAL DETAILS

APPROVED: AMAROK  
688 ASSEMBLY ST 6TH FL  
COLUMBUS, OH 43201  
604-424-1189

DATE: 6/16/2023  
DRAWN BY: RLR  
SCALE: SEE PLAN

SHEET  
**C2**  
of 3

# WIRE RUN DETAILS & OUTSIDE MOUNTED ELECTRONICS/CONTROLLER WITH STEEL POLE DETAIL



**CONNECTION NOTES:**

A: FENCE CONTROLLER ENCLOSURE - HOUSES THE FENCE ENERGIZER OR EQUIVALENT. THIS BOX CONNECTS TO "B" / ALARM PANEL ENCLOSURE USING THE APS WHIP / 10 CONDUCTOR CABLE. ENCLOSURE WEIGHT 22 LBS. (MAX.).

B: ALARM PANEL ENCLOSURE - HOUSES THE ALARM CONTROL PANEL. THIS BOX INTERCONNECTS TO "A" / FENCE CONTROLLER ENCLOSURE USING THE APS WHIP / 10 CONDUCTOR CABLE AND "C" / SOLAR CHARGE CONTROLLER USING TWO CONDUCTOR CABLE. ENCLOSURE WEIGHT 21 LBS. (MAX.).

C: SOLAR CHARGE CONTROLLER ENCLOSURE - HOUSES POWER ELEMENTS FOR SOLAR CHARGE CONTROLLER AND DISCONNECTS FOR SOLAR, BATTERY, AND LOAD CONNECTIONS. POWER UP PROCEDURE: TURN ON BATTERY BREAKER FIRST, THEN TURN ON SOLAR BREAKER. THE ELECTRONICS POWER IS CONTROLLED BY THE LOAD BREAKER. ENCLOSURE WEIGHT 25 LBS. (MAX.).

D: BATTERY ENCLOSURE - HOUSES THE BATTERIES AND INTERCONNECTS TO "C" / SOLAR CHARGE CONTROLLER ENCLOSURE USING TWO CONDUCTOR 14G AND 10G THWN WIRES. ENCLOSURE WEIGHT 50 LBS. (MAX.).

E: KEYPAD ENCLOSURE - HOUSES THE KEYPAD. THIS BOX INTERCONNECTS TO "A" USING 10 CONDUCTOR / 18 AWG WIRE. ENCLOSURE WEIGHT 12 LBS. (MAX.).

F: WIRELESS CONTROLLER ENCLOSURE - HOUSES THE WIRELESS RADIO CONTROLLER AND RELAYS. CONNECTS TO "C" / SOLAR CHARGE CONTROLLER ENCLOSURE USING TWO CONDUCTOR 14G THWN WIRES. ENCLOSURE WEIGHT 21 LBS. (MAX.).

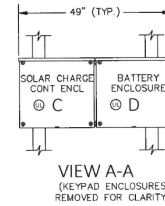
**GENERAL NOTE:**

EQUIPMENT ARRANGEMENT AND ELEVATION SHOWN ARE FOR REFERENCE ONLY. ACTUAL EQUIPMENT ARRANGEMENT, SHAPE, SIZE, LOCATION, AND QUANTITY ARE CUSTOMER SITE SPECIFIC AND CAN VARY FROM DRAWING DEPICTION.

**NOTES:**

MOUNT 4 SILVER BOXES TO A PAIR OF HSS TUBE 4"x4"x10GA. (0.134" WALL THICKNESS) ASTM A500 GRADE B OR C 55KSI YIELD (MIN) STEEL POLES. BOTTOM OF THE LOWEST BOX MUST BE A MINIMUM OF 3' ABOVE GROUND LEVEL. THE SUPPORT POLES MUST BE EMBEDDED AT A MINIMUM OF 3'-10" BELOW GROUND LEVEL.

FRONT ELEVATION



RIGHT SIDE ELEVATION

ASSEMBLY WEIGHT CHART	
DESCRIPTION	WEIGHT (LBS.)
SOLAR PANELS	61.6
SOLAR PANEL MTG. KIT	27.0
UNISTRUT	108.8
OMNI ANTENNA ASSEMBLY	3.59
SIREN	1.5

ELECTRONICS ARMATURE	
LOCATION	DESCRIPTIVE NAME
MAIN GATE	HEAD-END ELECTRONICS



#	DATE / DESCRIPTION



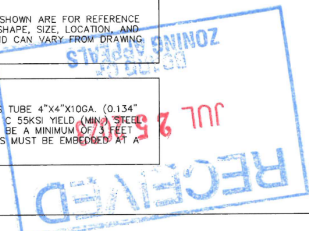
PROJECT: FEDERAL EQUIPMENT COMPANY  
6901 MORGAN AVE  
CLEVELAND, OH 44127

SHEET TITLE: TYPICAL DETAILS

APPLICANT: AMAROK  
REVISION: 01/21/21 FL  
COLUMBUS, OH 43001  
603-404-1181

DATE: 6/16/2023  
DRAWN BY: RLR  
SCALE: SEE PLAN

SHEET  
**C3**  
of 3





# Public Hearing

**Calendar No. 23-143:**

**18627 St. Clair Ave.**

**Ward 10**

Arc. Construction & Development LLC., owner, proposes to establish use as a carry out and café/lounge in a C2 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 349.04 which states that 28 parking spaces are required and 19 spaces are proposed.





# Public Hearing

Calendar No. 23-143:

18627 St. Clair Ave.

Ward 10



## SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE  
IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

**Please Raise Your Hand.**  
**Reply with I DO, YOUR NAME and YOUR ADDRESS.**

# Public Hearing

Calendar No. 23-143:

18627 St. Clair Ave.

Ward 10



## HISTORY OF THE PROPERTY





## LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting an area variance from the parking requirements of the zoning code.

To obtain the area variance, Appellant must prove that denying the request:

1. Will create a **practical difficulty** not generally shared by other land or buildings in the same district;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variance will not be contrary to the purpose and intent of the zoning code.



Calendar No. 23-143:

18627 St. Clair Ave.

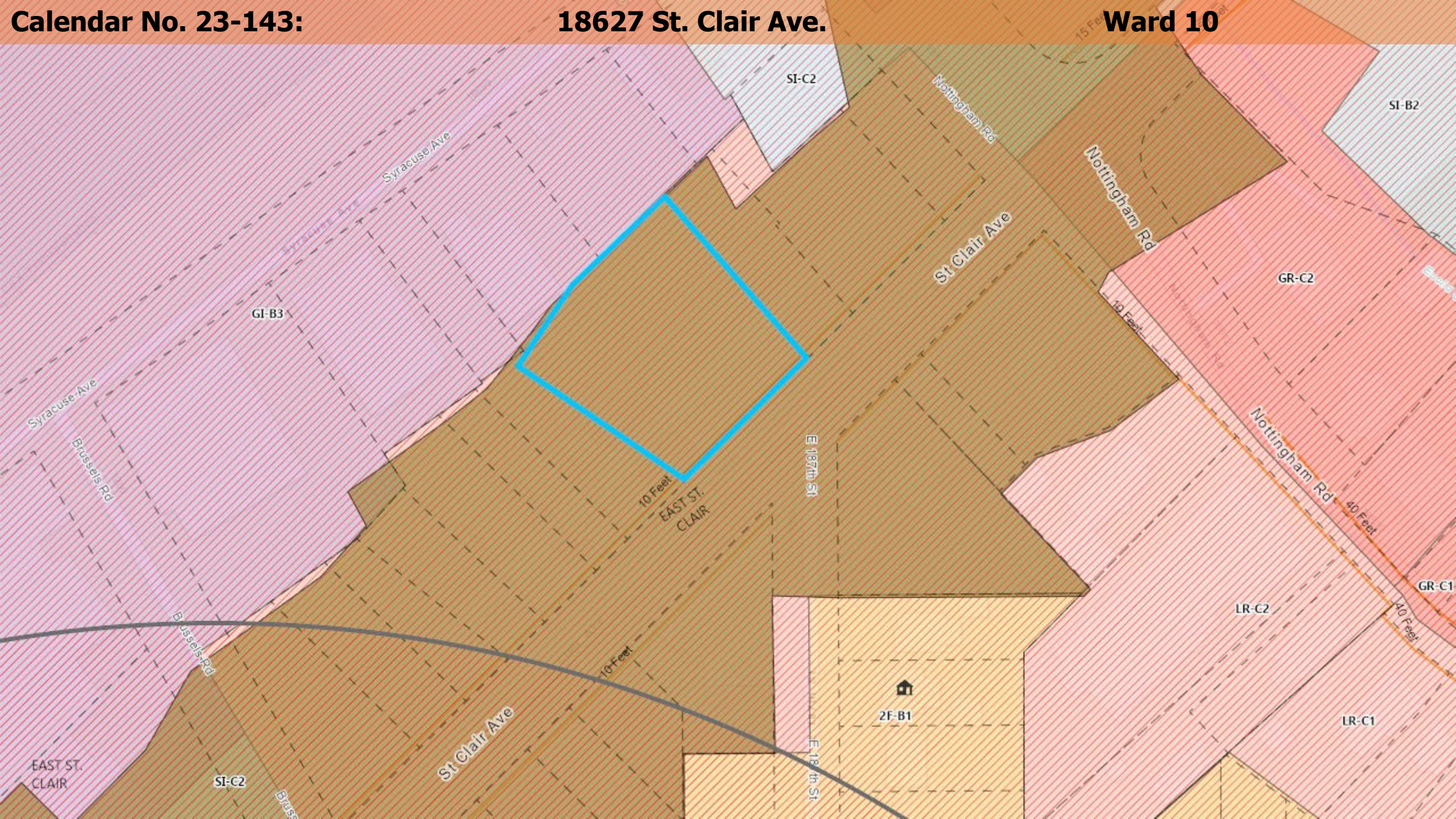
Ward 10













# Public Hearing

## Calendar No. 23-144:

## 6101 St. Clair Ave

## Ward 10



Edward Turk, Jr., proposes to establish use as Motor Vehicle Service Garage in a C1 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 325.487 which states "Motor vehicle service garage" means a building or part thereof in which the motor vehicle servicing and repairs performed are limited to "minor repair" of motor vehicles as defined in Section 325.483.
  2. Section 325.483 which states " motor vehicle minor repair" means repairs and servicing that produce relatively low levels of noise, vibration and fumes and, more specifically, include the following types of repairs to motor vehicles of a gross vehicle weight of no more than six thousand (6000) pounds: (a) " Motor vehicle maintenance" as defined in 325.482; (b) Air conditioning, starting and charging service; (c) Brake repair and replacement; (d) Engine oil changes, fluids replacement; (e) Exhaust system repair and replacement; (f) Automotive electrical work other than audio sound system installation; (g) Shock absorber, spring, and strut replacement; (h) Upholstery work; (i) Tire balancing, tire installation; wheel alignment; (j) Windshield and glass installation; (k) Tune-ups, diagnostics; spark plug replacement, emission control service; and (l) Other repairs of a similar nature with respect to impacts on nearby properties.
  3. Section 343.01 which states Motor Vehicles Service Garage is not permitted in a Local Retail Business District, first permitted in a General Retail Business District.
- Note: Variance for Motor Vehicle Service Garage use was granted in **BZA Calendar No. 17-349**, but subsequent required permit was not obtained.



# Public Hearing

Calendar No. 23-144:

6101 St. Clair Ave

Ward 10



## SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE  
IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

**Please Raise Your Hand.**  
**Reply with I DO, YOUR NAME and YOUR ADDRESS.**





## HISTORY OF THE PROPERTY





## LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting a use variance from the motor vehicle service garage requirements of the zoning code.

To obtain the use variance, Appellant must prove that denying the request:

1. Will result in an **unnecessary hardship** particular to the property such that there will be no economically feasible use of the property without the variance;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variance will not be contrary to the purpose and intent of the zoning code.

Note: This variance was previously granted in 2017, but the permit was never obtained.

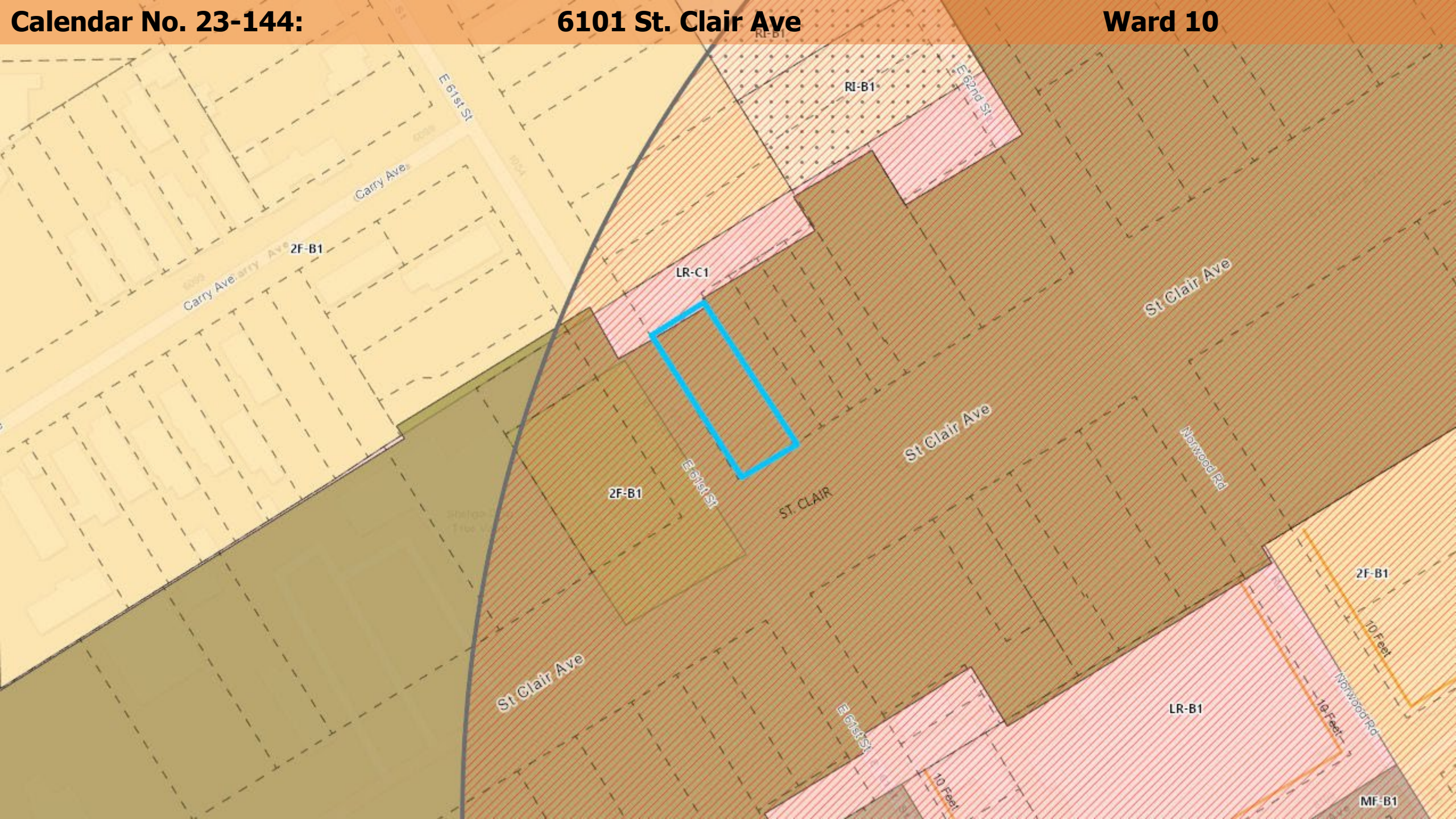












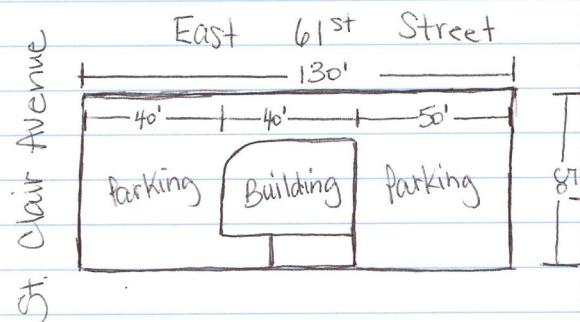
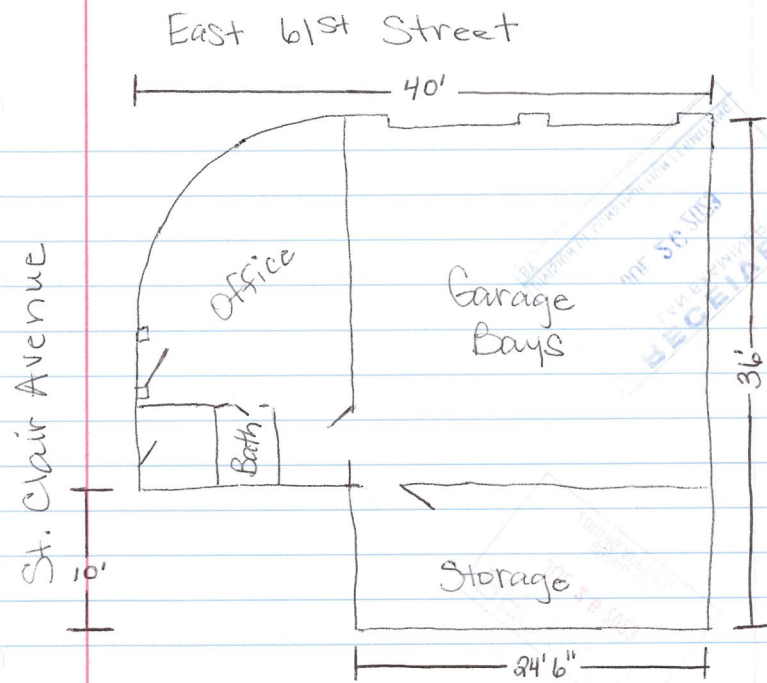
Calendar No. 23-144:

6101 St. Clair Ave

Ward 10



BZA 23-144





Hello. I am writing in opposition of the variance requests for a motor vehicle service garage at 6101 St. Clair Ave. in Cleveland per the notice received regarding Calendar No. 23-144. I own 6030 & 6034 Carry Ave. as well as 1133 Norwood Rd. The requested use is no longer appropriate for the General Retail Business District and particular location. Neighborhoods evolve and so do the highest and best use of commercial properties throughout the City. Additionally, the property is seemingly functioning as a used car lot which I'm guessing is also not a permitted use.

Thank you for the opportunity to submit a comment.

Sincerely,  
Michael Rastatter  
216.258.4273

# Public Hearing

**Calendar No. 23-145:**

**7001 Euclid Ave.**

**Ward 7**



George Family Enterprises, LTD, owner, proposes to install a 12,000 gallon above ground gas storage tank and all equipment in the Midtown Mixed Use District 2 (MMUD-2). The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 344.03(b) which states MMUD-2 District Above ground storage tank of gas is not permitted; above ground tank of gas less than 10,000 is first permitted in Semi-Industry District 345.03 (c) (33), 10,000 gallons capacity and over is first permitted in General Industry District 345.04 12,000 gallons gas tank is proposed.

Note: CPC approval is required.





# Public Hearing

Calendar No. 23-145:

7001 Euclid Ave.

Ward 7



## SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE  
IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

**Please Raise Your Hand.**  
**Reply with I DO, YOUR NAME and YOUR ADDRESS.**



## HISTORY OF THE PROPERTY







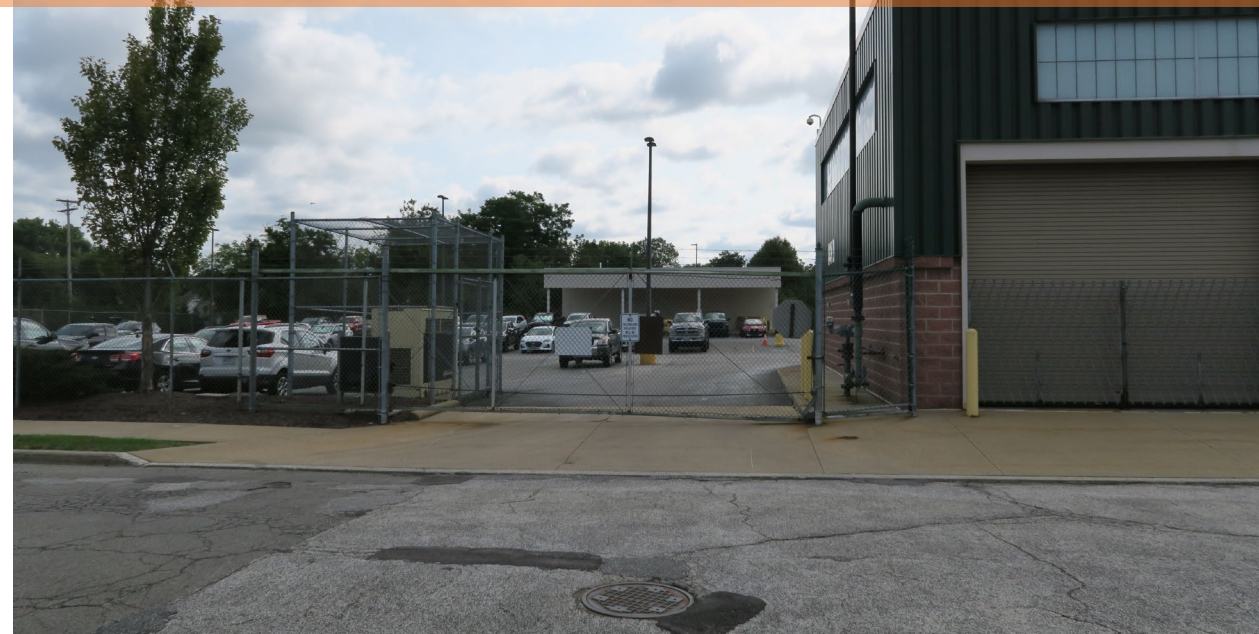
## LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting a use variance from the above ground storage tank requirements of the zoning code.

To obtain the use variance, Appellant must prove that denying the request:

1. Will result in an **unnecessary hardship** particular to the property such that there will be no economically feasible use of the property without the variance;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variance will not be contrary to the purpose and intent of the zoning code.







Calendar No. 23-145:

7001 Euclid Ave.

Ward 7

Chester Avenue (US 322)

East 72nd Place

Simpson

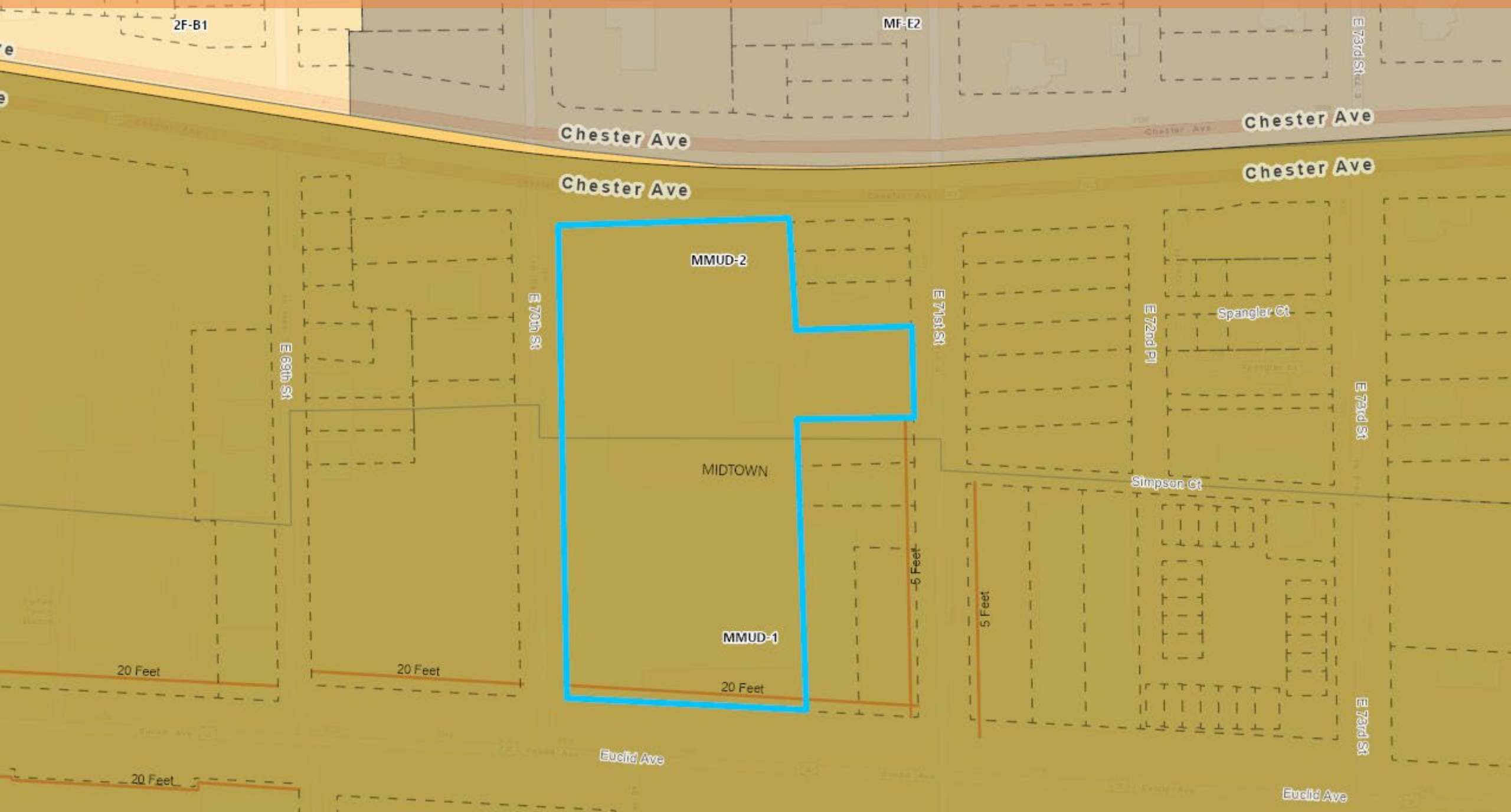
Euclid Avenue (US 20)

East 70th Street

East 69th Street











phone 330.666.5770

3660 Embassy Parkway  
Fairlawn, OH 44333

mpg-architects.com

September 25, 2023

City of Cleveland  
Board of Zoning Appeals  
601 Lakeside Avenue  
Cleveland, Ohio 44114

Re: CEI Midtown AST  
Calendar No. 23-145 - 7001 Euclid Ave. - Ward 7

Dear Board Members,

I am writing this letter in regards to the above-mentioned project located at 7001 Euclid Avenue, specifically the size of the AST (Above-ground Storage Tank).

Upon hearing feedback from local residents, community leaders, and local businesses, we have elected to revise the submittal from the original 12,000-gallon combined AST (8,000-gallons gasoline / 4,000-gallons diesel) to a 10,000-gallon combined AST (7,000-gallons gasoline / 3,000-gallons diesel). The drawings for the AST that were previously submitted would be revised to reflect the reduced tank size and resubmitted accordingly. The proposed location of the tank in the middle of the site will not change.

Please accept this letter as our formal revision to reduce the tank size from 12,000-gallons to 10,000-gallons. On behalf of CEI (FirstEnergy) and George Family Enterprises, LTD, we look forward to presenting the project on October 2<sup>nd</sup> to you and continuing to work with the community and city of Cleveland.

If you should have any questions in the meantime, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'RJ', with a stylized flourish at the end.

Robert Johnston, RA  
Senior Director

Cc Brittany Jones, City of Cleveland  
Terry Killeen, FirstEnergy  
Ryan Collins, FirstEnergy  
Diego Gallardo, FirstEnergy  
George Family Enterprises, LTD  
File

# CEI - MIDTOWN AST

MIDTOWN SERVICE CENTER  
7001 EUCLID AVENUE  
CLEVELAND, OHIO 44103

JUNE 1, 2022

OWNER  
**FirstEnergy Corp**  
76 SOUTH MAIN STREET  
AKRON, OHIO 44308

ARCHITECT  
**MANN PARSONS GRAY ARCHITECTS**  
3660 EMBASSY PARKWAY  
FAIRLAWN, OHIO 44333  
mpg-architects.com



phone 330.666.5770  
fax 330.666.8812  
3660 Embassy Parkway  
Fairlawn, OH 44333  
mpg-architects.com



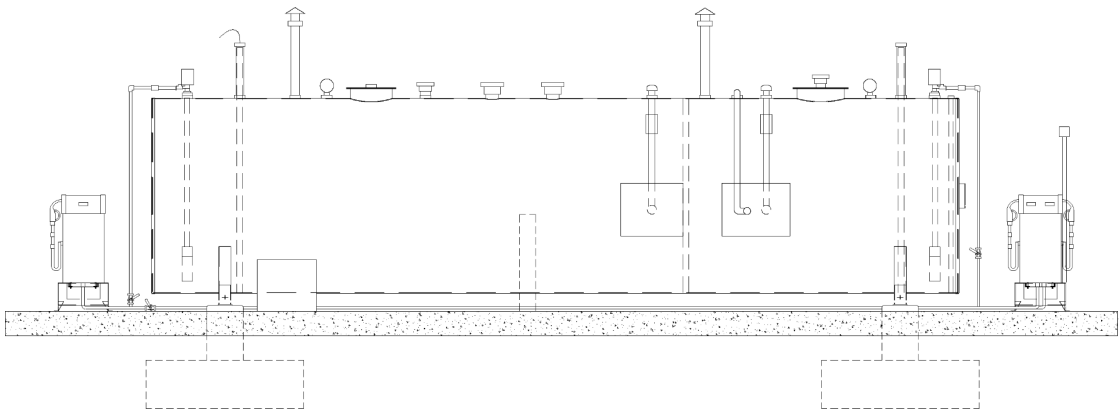
DATE: JUNE 1, 2022

COVER SHEET

PROJECT # 6019

CEI - MIDTOWN AST  
MIDTOWN SERVICE CENTER  
7001 EUCLID AVENUE  
CLEVELAND, OHIO 44103

G1.0  
1 OF 1



## BIDDING PRECAUTIONS

1. PRIOR TO SUBMITTING PROPOSALS, BIDDERS SHALL EXAMINE DRAWINGS AND SPECIFICATIONS AND CONDUCT A PERSONAL EXAMINATION OF THE SITE AND BECOME AWARE OF ALL EXISTING CONDITIONS AND LIMITATIONS AFFECTING THE WORK AND THEIR PROPOSAL.

## GENERAL NOTES

1. THESE DRAWINGS HEREIN DEPICT THE INSTALLATION OF NEW STORAGE TANKS FOR THE PURPOSE OF REFUELING THE COMMERCIAL VEHICLES UTILIZED BY FIRST ENERGY.
2. CONTRACTOR TO VERIFY ALL EXISTING CONDITIONS, DIMENSIONS, GRADES, ETC. PRIOR TO ANY CONSTRUCTION AND SHALL REPORT ANY DISCREPANCIES IMMEDIATELY TO THE ARCHITECT FOR CLARIFICATION OR RESOLUTION.
3. THESE DESIGNS AND ALL ITEMS DEPICTED HEREIN, WHETHER IN WRITING OR GRAPHICALLY, AS INSTRUMENTS OF PROFESSIONAL SERVICE, MAY NOT BE ALTERED OR CHANGED, IN ANY WAY, WITHOUT THE PRIOR KNOWLEDGE AND WRITTEN CONSENT OF THE ARCHITECT. ANY CHANGE MADE WITHOUT THE ARCHITECT'S WRITTEN APPROVAL WILL VOID ALL SUCH DOCUMENTS AND INSTRUMENTS AND THE ARCHITECT WILL NOT BE PERSONALLY LIABLE FOR ANY DAMAGE, HARM OR LOSS CAUSED THEREBY.

## PHYSICAL PROTECTION AND SECURITY FOR AST

BOLLARDS: BOLLARDS SHALL BE PROVIDED TO PROTECT AST FROM VEHICULAR DAMAGE. SEE DRAWINGS C1.2 & C2.0 FOR DETAILS.

SECURITY: THE FACILITY HAS A PERIMETER FENCE THAT PROHIBITS PUBLIC ACCESS TO THE FUELING FACILITY.

## CONTRACTOR NOTES

1. THE AST SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE OHIO FIRE CODE 2017 CHAPTERS 23 AND 27, AND REQUIREMENTS SPECIFIED IN NFPA 30 AND NFPA 30A LISTED IN RULE 1301.7-4.04 OF THE OHIO ADMINISTRATIVE CODE, CLEVELAND CODE OF ORDINANCES CHAPTER 363 - FLAMMABLE LIQUIDS, INCLUDING APPLICABLE FEDERAL, STATE AND LOCAL CODES. CONTRACTOR SHALL ALSO PERFORM WORK IN ACCORDANCE WITH THE FOLLOWING INDUSTRIAL STANDARDS: NFPA 70 AND NFPA 700 RECOMMENDED PRACTICES FOR INSTALLATION OF ABOVE GROUND STORAGE SYSTEMS FOR MOTOR VEHICLE FUELING. CONTRACTOR SHALL FOLLOW THE PLANS, SPECIFICATIONS AND ALL MANUFACTURER'S INSTALLATION INSTRUCTIONS.
2. THESE DRAWINGS AND SCOPE DOCUMENTS INDICATE THE GENERAL PROJECT DESIGN CONCEPT, DIMENSIONS OF THE PROJECT, MAJOR ARCHITECTURAL ELEMENTS AND BASIC ORGANIZATION OF STRUCTURAL, MECHANICAL, ELECTRICAL, AND PLUMBING SYSTEMS. AS SCOPE DOCUMENTS, THESE DRAWINGS DO NOT NECESSARILY DESCRIBE OR INDICATE ALL MATERIALS OR WORK REQUIRED FOR FULL PERFORMANCE AND COMPLETION OF THE PROJECT. THE GENERAL CONTRACTOR, AND ANY AND ALL SUBCONTRACTORS, IS RESPONSIBLE FOR FURNISHING ALL ITEMS REQUIRED FOR PROPER EXECUTION AND COMPLETION OF THE PROPOSED PROJECT.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING AND LOCATING UNDERGROUND UTILITIES PRIOR TO EXCAVATION.

## CONTRACTOR SITE SAFETY REQUIREMENTS

1. REFER TO DRAWINGS, SCOPE OF WORK FOR INSTALLATION OF NEW AST, AND SCOPE OF WORK FOR UST REMOVAL.
2. CONTRACTOR SHALL ALSO ADHERE TO FIRSTENERGY'S CONTRACTOR SAFETY REQUIREMENTS, REVISED 9/21/2018.

## AST SEPARATION REQUIREMENTS NOTE:

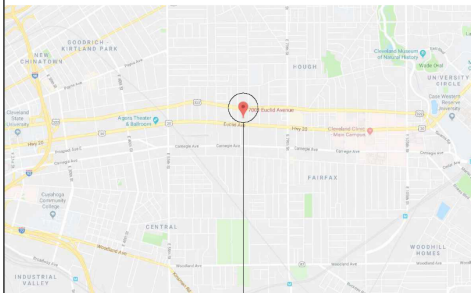
THIS EXISTING BUILDING IS CONSIDERED TO BE AN UNIMPORTANT BUILDING AS DEFINED IN THE CURRENT 2021 NFPA 30. OWNER UNDERSTANDS THAT THIS BUILDING IS TO BE USED FOR STORAGE OF NON-HAZARDOUS MATERIALS ONLY AND IS TO BE NORMALLY UNOCCUPIED. ACCORDING TO TABLE 22.4.1.1(a) OF THE NFPA 30 CODE, THE LOCATION OF THIS PROPOSED ABOVE GROUND STORAGE TANK FROM THE NEAREST SIDE OF THE BUILDING CANNOT BE LESS THAN 5'-0". THIS NEW AST IS 5'-4" AWAY FROM THE BUILDING.

## DRAWING INDEX

- GENERAL
- G1.0 COVER SHEET
- CIVIL
- C1.0 SITE DEMOLITION PLAN
  - C1.1 SITE PLANS
  - C1.2 TANK PLAN VIEW AND DETAILS
  - C2.0 SITE PLAN DETAILS AND NOTES
- TANK
- T1 TANK SIDE VIEW AND DETAILS
  - T2 TANK SIDE ELEVATION AND END VIEW
- ELECTRICAL
- E1.0 ELECTRICAL DETAILS
  - E2.0 ELECTRICAL DETAILS
  - E3.0 ELECTRICAL SITE PLAN



FLOOD PLAIN MAP  
SCALE: N.T.S.



VICINITY MAP  
SCALE: N.T.S.



### GENERAL DEMOLITION NOTES

- DEMOLITION SHALL BE COMPLETED IN STRICT ACCORDANCE WITH FIRSTENERGY'S GENERAL CONDITIONS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING AND LOCATING UNDERGROUND UTILITIES PRIOR TO ANY EXCAVATION WORK.
- CONTRACTOR SHALL SUPPLY 8' HIGH CHAIN-LINK SAFETY FENCE AROUND ENTIRE WORK AREA. LIGHTED BARRICADES SHALL BE PLACED AROUND THE EXTERIOR PERIMETER OF THE FENCE.
- ALL CONCRETE, ASPHALT AND DEMOLITION DEBRIS ARE TO BE REMOVED FROM THE SITE AT THE CONTRACTOR'S EXPENSE. ALL CONCRETE AND ASPHALT TO BE RECYCLED TO THE EXTENT THAT IT IS PRACTICAL.
- ANY BACKFILL BROUGHT ONTO THE SITE, WHETHER IT IS FILL OR STONE, NEEDS TO BE CERTIFIED CLEAN FROM A MFGM QUARRY.
- CONTRACTOR SHALL RESTORE TO ORIGINAL OR BETTER CONDITION ALL AREAS DISTURBED BY CONSTRUCTION.

### FILL MATERIAL NOTES

- FILL MATERIALS SHALL BE PLACED AND COMPACTED ACCORDING TO THE FOLLOWING CRITERIA:

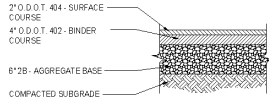
FILL MATERIAL	LOOSE LIFT THICKNESS	MOISTURE CONTENT	MINIMUM DRY DENSITY
LOW PLASTICITY SOILS	8 INCHES	MIN 2% ABOVE OR BELOW OPTIMUM	90% PER ASTM D698
CHEMICALLY MODIFIED HIGH PLASTICITY SOILS	8 INCHES	3-4% ABOVE OPTIMUM	90% PER ASTM D698
NON-COHESIVE SOILS	8 INCHES	0-2% ABOVE OPTIMUM	85% RELATIVE DENSITY PER ASTM D4254



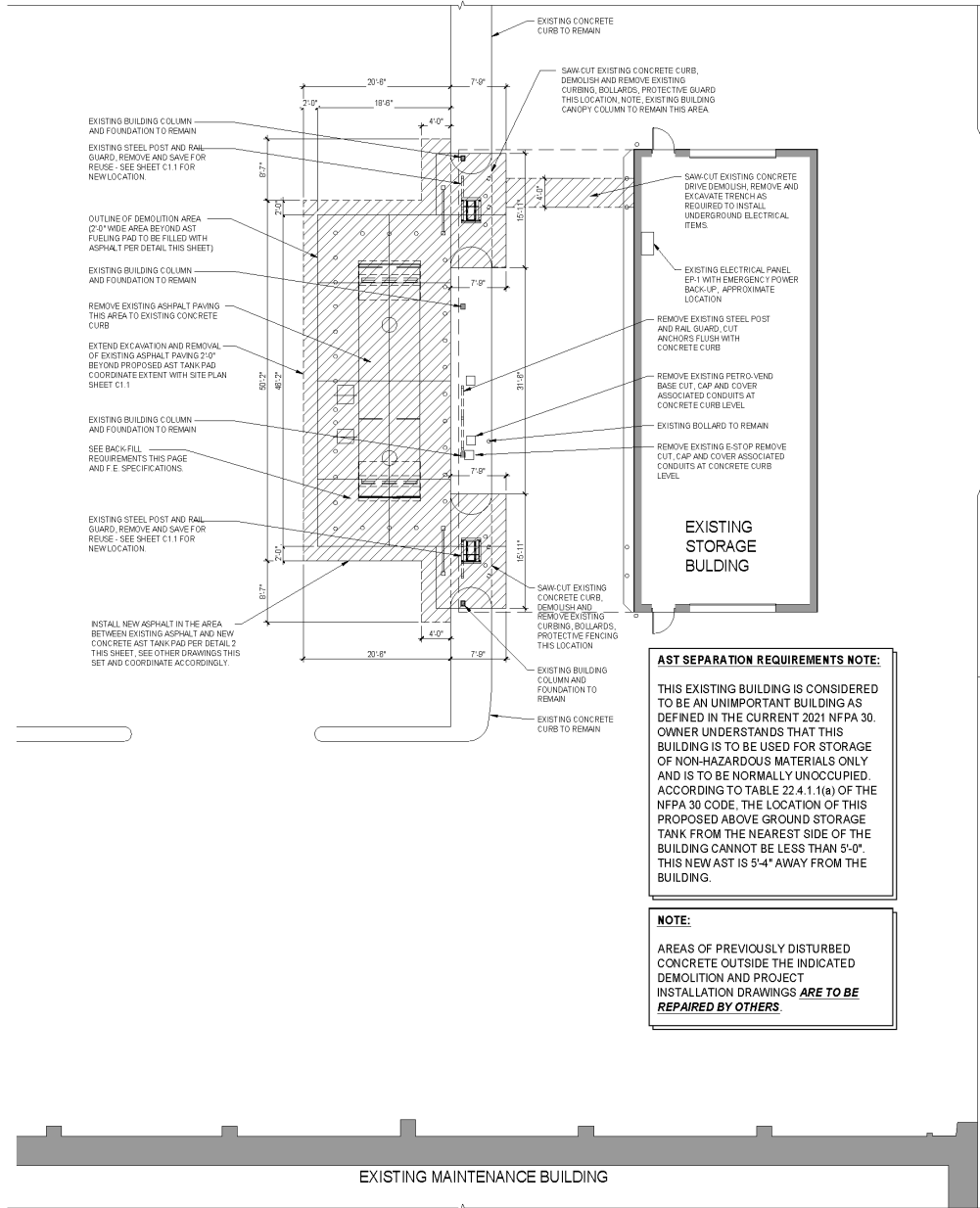
EXISTING FUEL DISPENSING CANOPY CONDITION.



EXISTING FUEL DISPENSING CANOPY CONDITION.



2 DETAIL TYPICAL ASPHALT  
SCALE: N.T.S.



1 SITE DEMOLITION PLAN  
SCALE: 1/8" = 1'-0"



NOTE:  
SEE SPECIFICATIONS FOR  
ADDITIONAL BACKFILL INFORMATION



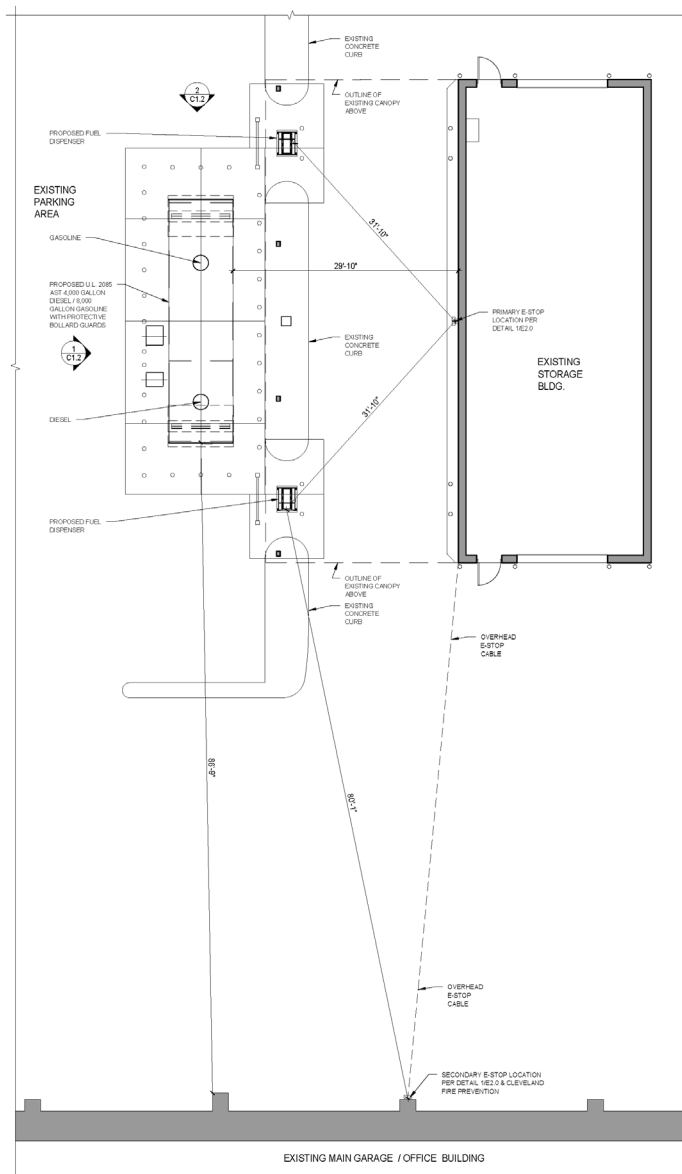
### REVISIONS

phone 330.666.5770  
fax 330.666.8812  
3660 Embassy Parkway  
Fairlawn, OH 44133

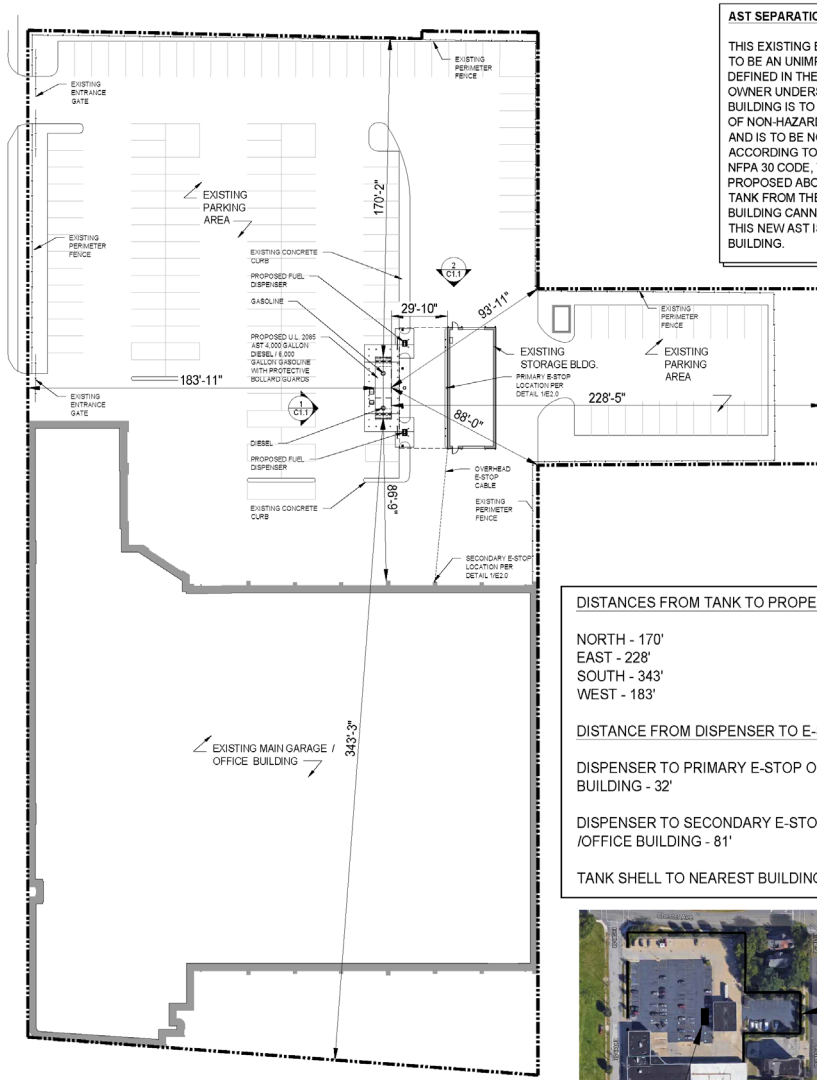
**MPG**  
MANN • PARSONS • GRAY  
ARCHITECTS  
mpg-architects.com

SITE DEMOLITION PLAN  
PROJECT # 6019  
DATE JUNE 1, 2022  
CEI MIDTOWN COMMERCIAL FUELING AST  
7001 EUCLED AVENUE  
CLEVELAND, OHIO 44103

C1.0  
1 OF 4



**3 SITE PLAN ENLARGED**  
SCALE 1/8" = 1'-0"



**2 SITE PLAN OVERALL**  
SCALE 1/32" = 1'-0"

**Fire Guard Double Wall Aboveground Tank Specifications**

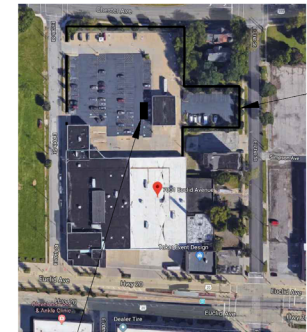
1. Product Name: FireGuard Protected Double Wall Above Ground Storage Tank
2. Product Description: FireGuard Protected Double Wall Steel Aboveground Storage Tanks are manufactured in accordance with Steel Tank Institute FireGuard Standard for Aboveground Protected Tanks. FireGuard aboveground tanks are listed by Underwriters Laboratories for both the primary and secondary containment under UL 2085, Standard for Steel Aboveground Tanks for Flammable and Combustible Liquids. Integral secondary containment is part of the doublewall design and provides testability and access for interstitial leak detection through an integral secondary containment, a tightly wrapped layer of steel. Horizontal tanks can be designed with a rigid or saddle-mounted supports with all the supports being UL 2085 Listed. Horizontal, vertical and rectangular designs available. Capacities to 30,000 Gallons.
3. Technical Data: FireGuard meets the requirements of:
  - National Fire Protection Association Code NFPA 30A Protected Tanks
  - Steel Tank Institute FireGuard Protected Aboveground Tank Label
  - Underwriters Laboratories (UL 2085) for Inner and Secondary Containment
  - U.S. Environmental Protection Agency

**DISTANCES FROM TANK TO PROPERTY LINE**

NORTH - 170'  
EAST - 228'  
SOUTH - 343'  
WEST - 183'

**DISTANCE FROM DISPENSER TO E-STOP**

DISPENSER TO PRIMARY E-STOP ON STORAGE BUILDING - 32'  
DISPENSER TO SECONDARY E-STOP ON GARAGE / OFFICE BUILDING - 81'  
TANK SHELL TO NEAREST BUILDING - 29'



**1 KEY PLAN**  
SCALE: NOT TO SCALE

**AST SEPARATION REQUIREMENTS NOTE:**

THIS EXISTING BUILDING IS CONSIDERED TO BE AN UNIMPORTANT BUILDING AS DEFINED IN THE CURRENT 2021 NFPA 30. OWNER UNDERSTANDS THAT THIS BUILDING IS TO BE USED FOR STORAGE OF NON-HAZARDOUS MATERIALS ONLY AND IS TO BE NORMALLY UNOCCUPIED. ACCORDING TO TABLE 22.4.1.1(a) OF THE NFPA 30 CODE, THE LOCATION OF THIS PROPOSED ABOVE GROUND STORAGE TANK FROM THE NEAREST SIDE OF THE BUILDING CANNOT BE LESS THAN 5'-0". THIS NEW AST IS 5'-4" AWAY FROM THE BUILDING.

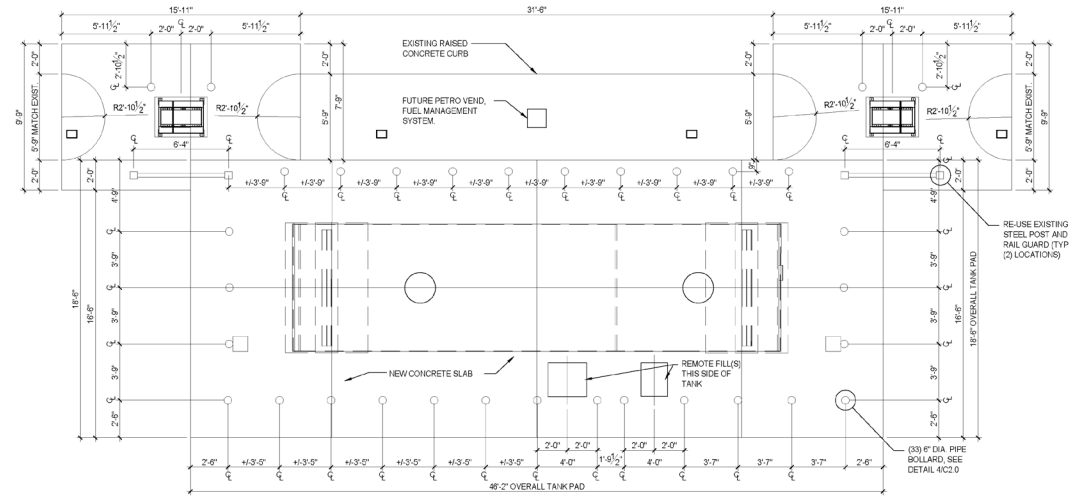


**REVISIONS**

**MPG ARCHITECTS**  
MAIN • PARSONS • GRAY  
3660 Embassy Parkway  
Fallawn, OH 44133  
phone 330.666.5770  
fax 330.666.8812  
mpg-architects.com

**SITE PLAN**  
PROJECT #: 6019  
DATE: JUNE 1, 2022  
**CEI MIDTOWN COMMERCIAL FUELING AST**  
7001 EUCLID AVENUE  
CLEVELAND, OHIO 44103





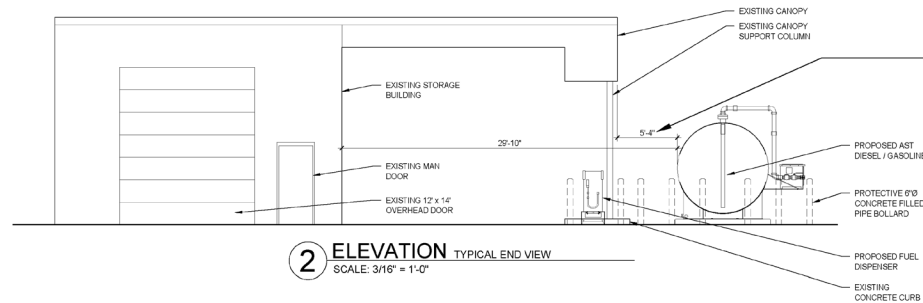
**3 PLAN** 12,000 GALLON (8,000 GASOLINE / 4,000 DIESEL)  
SCALE: 1/4" = 1'-0"

**PHYSICAL PROTECTION**

GUARD POSTS:  
GUARD POSTS SHALL BE PROVIDED TO PROTECT AST FROM VEHICULAR DAMAGE. SEE DRAWINGS C1.2 & C2.0 FOR DETAILS

FENCE:  
THE FACILITY HAS A PERIMETER FENCE THAT PROHIBITS PUBLIC ACCESS TO THE FUELING FACILITY.

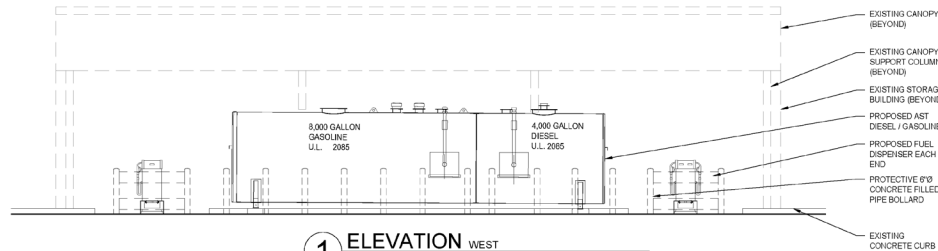
NOTE:  
CONTROL JOINTS SHOULD BE PLACED TO PRODUCE PANELS THAT ARE AS SQUARE AS POSSIBLE AND NEVER EXCEEDING A LENGTH TO WIDTH RATION OF 1.5 TO 1 AND EXCEED 144 SQUARE FEET TOTAL.



**2 ELEVATION** TYPICAL END VIEW  
SCALE: 3/16" = 1'-0"

**AST SEPARATION REQUIREMENTS NOTE:**

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**1 ELEVATION** WEST  
SCALE: 3/16" = 1'-0"



**REVISIONS**


phone 330.666.6770  
fax 330.666.8812  
3660 Embassy Parkway  
Fairlawn, OH 44333

**MPG**  
MANN • PARSONS • GRAY  
ARCHITECTS  
mpg-architects.com

TANK PLAN AND ELEVATIONS

PROJECT #: 6019 DATE: JUNE 1, 2022  
CEI MIDTOWN COMMERCIAL FUELING AST  
7001 EUCLID AVENUE  
CLEVELAND, OHIO 44103

**C1.2**  
3 OF 4

 <p><b>STANWADE</b> METAL PRODUCTS INC.</p>	<p><b>STANWADE METAL PRODUCTS, INC.</b> 6868 State Route 305, P.O. Box 10 Hartford, Ohio 44424 Phone: 800-826-5243 Fax: 1-330-772-3307 www.tankstore.com</p>	Capacity: 12,000 Gallons	Primary Heads: 1/4"	Paint Ext.: White Urethane
		Design: Double Wall Aboveground	Primary Shell: 1/4"	Paint Int.: N/A
		Code: UL 2085, Fireguard	Secondary Heads: 5/16"	Steel Wght: 24,800 Lbs.
		Test Pres.: 5 P.S.I.	Secondary Shell: 1/4"	Insul. Wght: 7,700 Lbs.

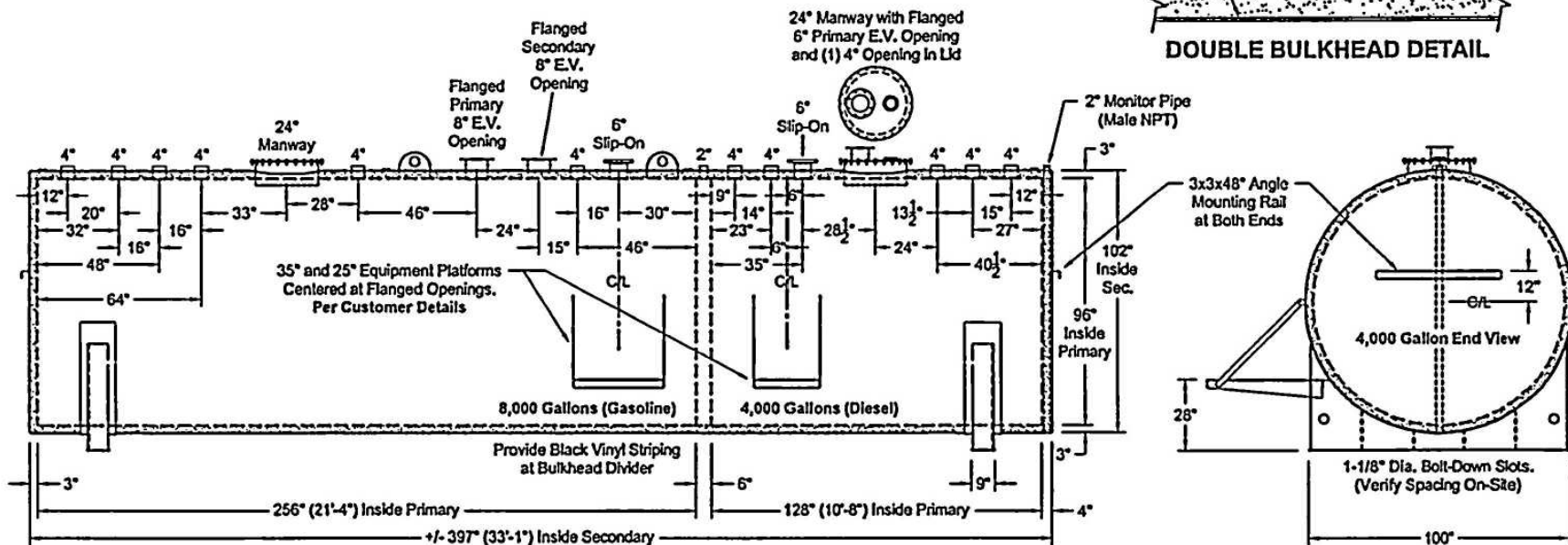
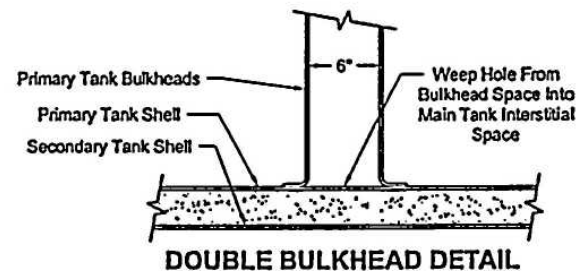


**Notes:**

1. Dimensions Shown Are Interior Clearances.
2. All Openings Are Female Threaded Unless Noted Otherwise.
3. Tank Is Intended For Stationary Use Only.
4. Tank Must Be Open Atmospheric Vented.

Changes to This Quote  
Drawing May Affect Pricing

2 Compartments  
4,000 x 8,000 Gallons  
Double Bulkhead



Customer: Musick Service Station Maint.

Drawing Date: 12-16-2022

Drawing #: MUS001.12-16-22.1

Quote #: 421614

Quoted Lead Times Begin Upon Receipt of Signed Approved  
Drawing, Which Must be Returned Before Production Can Begin.

Drawing Approved By: *Mooney Musick* 2/6/23





# **STANWADE METAL PRODUCTS, INC.**

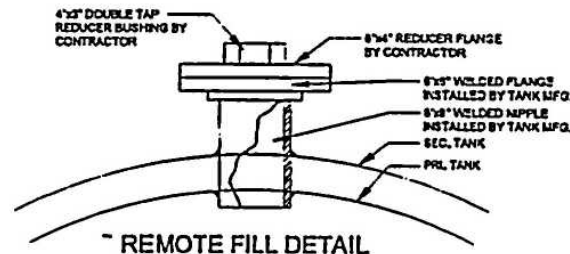
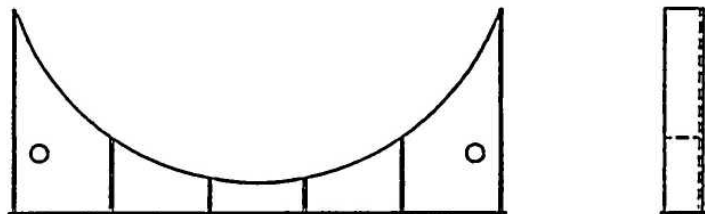
6868 State Route 305, P.O. Box 10  
Hartford, Ohio 44424  
Phone: 800-826-5243 Fax: 1-330-772-3307  
www.tankstore.com

## **GENERAL NOTES:**

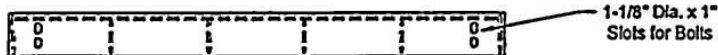
1. REMOTE FILL OPENING TO BE 9" DIA. AS SHOWN IN REMOTE FILL DETAIL (THIS SHEET) DO NOT USE ALUMINUM FITTINGS SUPPLIED BY OEM WITH THE P-STOP
2. INTERSTITIAL MONITOR TO BE CONSTRUCTED AS SHOWN ON DRAWING. 2" MONITOR PIPE TO BE INSTALLED BETWEEN THE PRIMARY & SECONDARY TANK HEADS
3. OVERALL DIMENSIONS AND CENTER TO CENTER DIMENSIONS OF THE SADDLES MAY VARY SLIGHTLY DEPENDING UPON WHICH TANK MANUFACTURER IS USED TO SUPPLY THE TANK. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY TANK DIMENSIONS AND APPROVE THE SHOP DRAWINGS.

## **Fire Guard Double Wall Aboveground Tank Specifications**

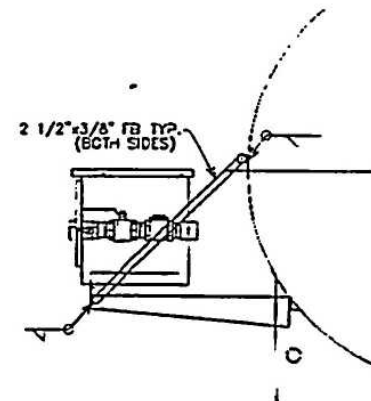
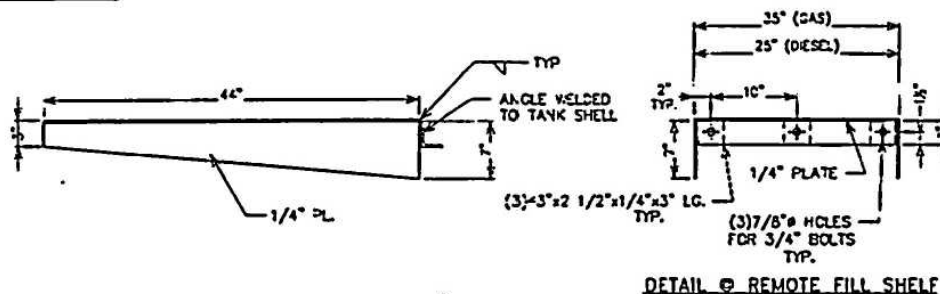
1. Product Name: FireGuard Protected Double Wall Aboveground Storage Tank
2. Product Description: FireGuard double wall and above ground storage tanks are manufactured in accordance with Steel Tank Institute Frequent Standard for Aboveground Protected Tanks. FireGuard storage tanks are tested by Underwriters Laboratories for both the primary and secondary containment under UL 2085. Standards for Steel Aboveground Tanks for Petroleum and Chemical Liquids. Integral secondary containment is part of a double wall design and provides leak-detection for leaks that develop through a primary secondary containment, a tightly wrapped layer of steel. Perforated tanks can be designed with a steel or saddle-mounted supports with all the supports being UL 2085 Listed.
3. Technical Data: FireGuard meets the requirements of National Fire Protection Association Code NFPA 30 & 33A Petroleum Tanks Underwriters Laboratories (UL 2085) for Inner and Secondary Containment UFG Article 72 as a "protected tank" U.S. Environment Protection Agency



\* TANK TO BE SHIPPED TO SITE UNDER VACUUM FROM THE FACTORY. TANK TO ALSO INCLUDE A 30 YEAR WARRANTY.



## **SADDLE DETAILS**



Customer: Musick Service Station Maint.

Drawing Date: 12-16-2022

Drawing #: MUS001.12-16-22.2

Quote #: 4/21/14

Quoted Lead Times Begin Upon Receipt of Signed Approved Drawing, Which Must be Returned Before Production Can Begin.

Drawing Approved By:

*Andrew Musick* 2/6/23



September 7, 2023

Board of Zoning Appeals  
601 Lakeside Avenue, Room 516  
Cleveland, Ohio 44114-1070

Re: Calendar No. 23-145

Members of the City of Cleveland Board of Zoning Appeals:

As the Executive Director of MidTown Cleveland, Inc., I am writing to share community concerns regarding the proposal to install a 12,000 gallon gas storage tank and equipment at 7001 Euclid Avenue.

MidTown Cleveland, Inc. held a meeting on September 6, 2023, during which neighbors and community members raised numerous concerns regarding the safety of the presence of the dual gas tank. The site is located within 200 feet of several adjacent residential properties, including a multifamily apartment building directly east of the site for the gas tank. Neighbors raised concerns about safety in the case of a natural disaster, fire or explosion, and general concerns about a refueling tank in such close proximity to residences.

The MMUD zoning district intends for a mix of commercial, residential, retail, and light industrial uses within the district, but does not permit gas supply or distribution. Furthermore, a tank greater than 10,000 SF is not permissible even in a Semi-Industrial district, but only in General Industrial. Given the constraints of the site and the neighboring developments, we would not support the requested proposal as submitted. While the investment in the neighborhood is appreciated and the standard for safety is high, the presence of a gas tank so close to residential neighbors does not include any effort to offset the impacts to the health, wellness, and quality of life for neighbors which could include fencing and landscaping buffer, artwork, or public amenity that supports the neighborhood.

If you have any additional questions please do not hesitate to reach out to Karis Tzeng, Vice President of Planning at [ktzeng@midtowncleveland.org](mailto:ktzeng@midtowncleveland.org).

Sincerely,

A handwritten signature in blue ink that reads "Ashley Shaw".

Ashley Shaw  
Executive Director  
MidTown Cleveland, Inc.  
[ashaw@midtowncleveland.org](mailto:ashaw@midtowncleveland.org)  
(216) 391-5080 x 108

**5000 Euclid Avenue Suite 100 | Cleveland, Ohio 44103**

P 216.391.5080 | F 216.391.6285 | [midtowncleveland.org](http://midtowncleveland.org)

My partner and I are owners of three properties in proximity to the requested zoning change at 7001 Euclid Ave.

We own the property at 7000 Euclid as well as 6700 Euclid and 6555 Carnegie.

The request to locate a 12,000 gallon above ground gas storage tank in our opinion would not be consistent with the design, look and image we are trying to create and maintain in the MidTown neighborhood.

We are not against the need for the storage tank but if permitted believe it should be below ground with all of the required safety factors.

Jim Doyle

Principal

Dear Sir/Madam,

I am a resident of Midtown living at 7120 Simpson Ct. We were given notice that there would be a community meeting regarding a large fuel tank being installed very near to us at the Illuminating Company. I don't know if you are aware, but Midtown is fast becoming as much a residential area as it is industrial/business. The dangers that a fuel tank with that capacity in our community is not something that I believe is a risk worth taking.

Please deny this request to install this fuel tank. It is not in the best interest of our community.

Sincerely,

Rollin and Gloria Varness

Hello,

I vehemently protest the 12000 above ground fuel and gas tank proposed for my neighborhood.

I just moved into Midtown in a beautiful new townhome. I moved here based on 15 year tax abatement.

I was stunned to learn about your proposal to put this in our neighborhood.

I object to this proposed move and wanted to be sure that my formal objection is noted.

Sincerely,

Jacqueline Robertson



To whom it may concern,

I am a resident of midtown. I love it here. The neighborhood is growing, trying to put a greener footprint in place, new homes, and attracting a diverse and thriving community. On September 11th, The Illuminating Company is appealing to the city to put this potentially disastrous above-ground tank a stone's throw from my home. I attended the community meeting to have "milk and cookies" with my energy company neighbors. I have found that Midtown is not zoned for this tank. The Illuminating Company has not done an environmental impact study of this area, should a catastrophe occur. They used studies from other sites. Cleveland has a history of another tank explosion. We have The East Ohio Gas Explosion of 1944 that killed over 100 people and decimated many surrounding structures. Please look it up.

The representatives of the Illuminating Company did acknowledge that one of the reasons they wanted to put it in was to buy fuel at a cheaper bulk rate instead of using the local gas stations. They complained the stations were not conducive to the blindspots or the size of their vehicles. They should upgrade their vehicle fleet. Hybrid? Electric? At the very least, using local stations can only help the community.

If they still feel it is imperative to install such a monstrous industrial tank, maybe they find an area that does not have so many people at risk should a mishap arise. I also asked who was responsible for the cleanup should there be a fire or explosion. I did not get a straight answer.

I also was made aware that The Illuminating company is leasing the property where they want to put this tank. It's not clear to me who owns it. The county or Tony George? Aside from that, I know that my neighbors and I at Midtown 1 do not want this tank installed for a plethora of reasons including but not limited to:

1. Environmental impact
2. Health Impact
3. Danger to lives if there is fire or explosion in such a densely populated area
4. Home values declining
5. No cognisant exit strategy for the neighborhood should a fire/explosion occur
6. Midtown is not zoned for this tank
7. Cleveland is trying to make a turnaround and become a greener, more sustainable more walkable city. Letting an energy company that has already done Ohio residents wrong in the recent past put this in their downtown to save a few bucks is despicable.

8. No environmental impact study done for this area.
9. Who is responsible for cleanup after a fire or spill
10. Above-ground tanks are susceptible to domestic terrorism, extreme environmental weather (we just had an F1tornado touch downtown), cell phones, bullets (being in a city you do hear guns go off from time to time.), and flooding.

I am a lifelong Clevelander. This city has so much to offer. It's a gem with its history, music, museums, sports teams, thriving food scene, wonderful theater district, and amazing waterfront. Putting the tank in Midtown is the tip of the iceberg in corporate malfeasance. Tell the Illuminating Company to upgrade to a greener fleet or move their tank to a remote area that does not have families living at their doorstep.

Regards,

Melissa D Williams

Hello I attended the community meeting on Wednesday, September 6th about a special variance to install a fuel and oil tank at 7001 Euclid ave. My 2 areas of concern are Fire Suppression and Explosion Blast Minimization. I didn't hear a detailed plan for these 2 subjects which are critical for the area surrounding 7001 Euclid ave, because there are residential neighborhoods in close proximity. I, along with other Ward 7 neighbors, need to hear a detailed plan for both Fire Suppression and Explosion Blast Minimization just in case there is an accident with either tank.

Thank you,

Terry McNeil

The Fix Our Streets 216 Project

Founder & Technical Consultant

Good afternoon,

My name is Anna Beglaryan and I live in Midtown, very close to where the proposed gas tank would be located. I'm emailing to express my opposition to this proposal as it's right in the middle of a growing residential area. The representative of the gas company did not have any strong safety measurements presented to our community during the meeting on Wednesday. Not a single community member is supporting this proposal and I hope the city takes this into consideration on Monday.

Thank you,

Anna Beglaryan

Cleveland Observer <theclevelandobserver@gmail.com>

Sun 9/10/2023 4:43 PM

Above ground fuel tank opposition

Please ask yourself a few critical questions.

What has changed to support a variance? Technology is better? Community is no longer resident? Are business needs (convenience and profit) more important than safety of the Community? Residents' were not satisfied with answers to questions related to suppression.. Was that a lack of preparation or lack of consideration? Where are other above ground storage tanks located in residential areas in NE Ohio with a variance? If so, is there data to support approving the appeal for a variance? Lastly, why wasn't everyone located near (within potential physical, and environmental danger) notified of the meetings?.

Please take this into consideration:=

This is an appeal that could be fatal to residents

This code was codified for a reason

I and other residences oppose the approval of this variance.

September 10, 2023

To the City of Cleveland Board of Zoning Appeals:

As the property owner of the townhouse located at 7124 Simpson Court, Cleveland, Ohio 44103, it has been brought to my attention the Illuminating Company's intention to install a 12,000 gallon above ground gas tank and all equipment in the Midtown Mixed Use District (MMUD-2). As it states in Section 344.03(b) MMUD-2 District Above ground storage tank of gas is not permitted; above ground tank of gas less than 10,000 is first permitted in Semi-Industry District 345.03 (c) (33), 10,000 gallons capacity and over is first permitted in General Industry District 345.04 12,000 gallons gas tank is proposed.

I am concerned about the installation of this tank putting the community in danger, especially with the proposed location being so close to my home. In light of the recent tornado that hit our area and the terrible wind damage as a result, the installation of this tank could prove explosive with the next weather event. I would like to take this time to express that I am extremely opposed to the installation of this tank in my neighborhood and definitely opposed to the installation being so close to my townhouse.

Thanks for your consideration,

Sheray Hall

sherayhall@gmail.com

(419) 297-4564



# Public Hearing

**Calendar No. 23-153:**

**3050 Nursery Ave.**

**Ward 5**

Elizabeth Hollaman, owner, proposes to expand existing Type B daycare to Type A daycare in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of Section 337.03(b) which states that a daycare use shall not be located less than 30 feet from any adjoining premises in a Residential District.



# Public Hearing

Calendar No. 23-153:

3050 Nursery Ave.

Ward 5



## SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE  
IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

**Please Raise Your Hand.**  
**Reply with I DO, YOUR NAME and YOUR ADDRESS.**





## HISTORY OF THE PROPERTY





## LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting a use variance and an area variance from the minimum distance requirements of the zoning code.

To obtain the use variance, Appellant must prove that denying the request:

1. Will result in an **unnecessary hardship** particular to the property such that there will be no economically feasible use of the property without the variance;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variance will not be contrary to the purpose and intent of the zoning code.

To obtain the area variance, Appellant must prove that denying the request:

1. Will create a **practical difficulty** not generally shared by other land or buildings in the same district;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variance will not be contrary to the purpose and intent of the zoning code.



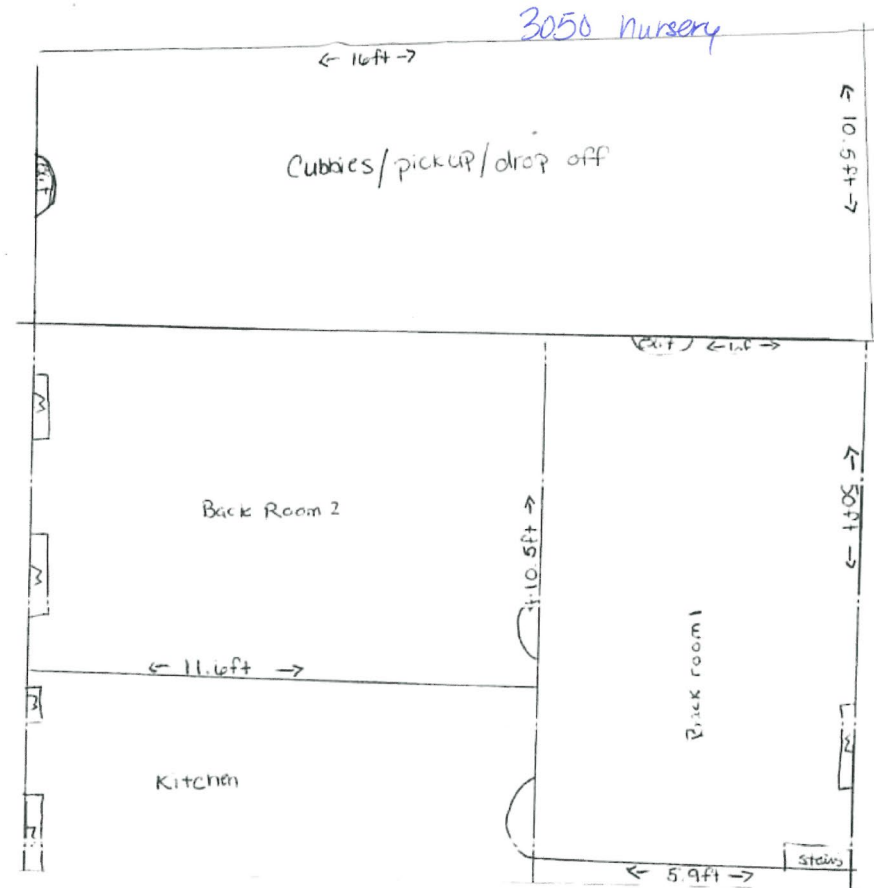
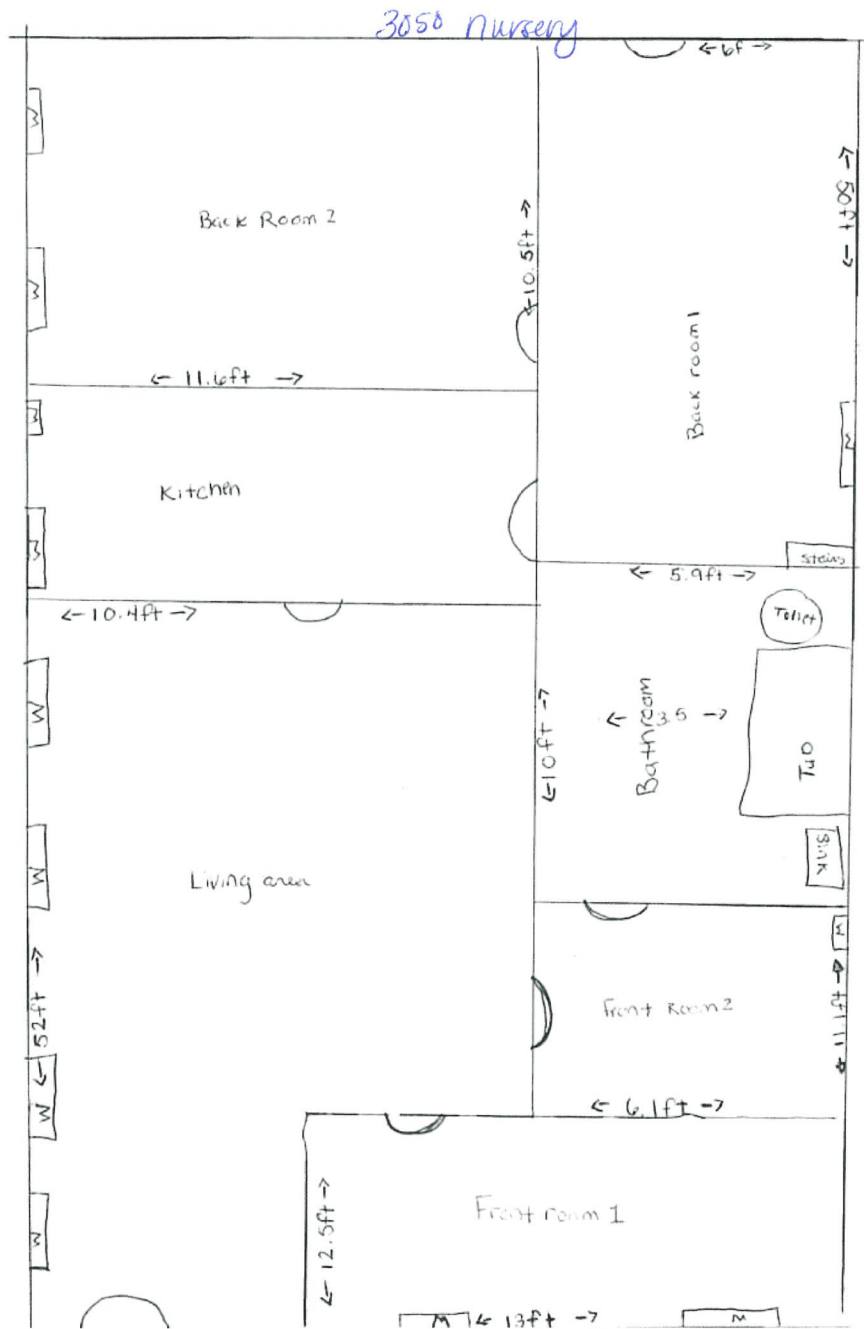














### Calendar No. 23-158:

**3093 West 117<sup>th</sup> St.**

**Ward 11**

AJH Acquisitions, proposes to establish use as hemp processing facility for CBD products in a C1 General Retail Business District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 343.11(b) which states that a hemp processing facility for manufacture of CBD products is not permitted in a General Retail Business District.



# Public Hearing

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Calendar No. 23-158:

3093 West 117<sup>th</sup> St.

Ward 11



## SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

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IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

**Please Raise Your Hand.**  
**Reply with I DO, YOUR NAME and YOUR ADDRESS.**





## HISTORY OF THE PROPERTY



# Public Hearing

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**Calendar No. 23-158:**

**3093 West 117<sup>th</sup> St.**

**Ward 11**



## LEGAL STANDARD

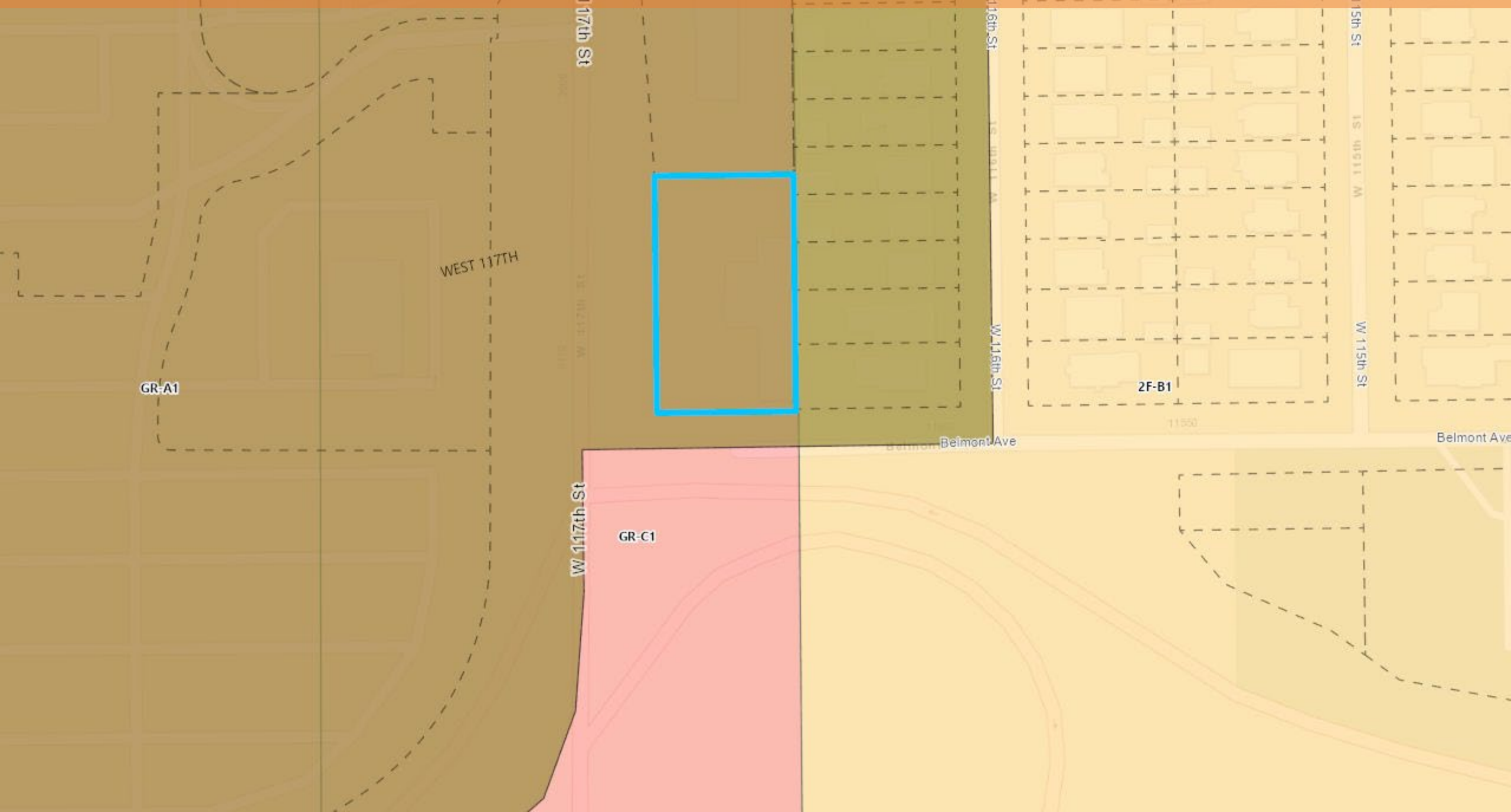


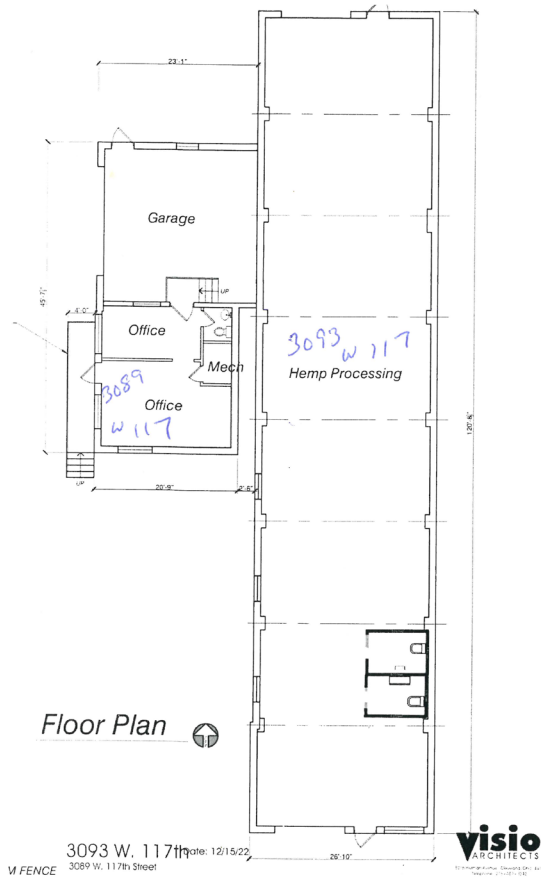




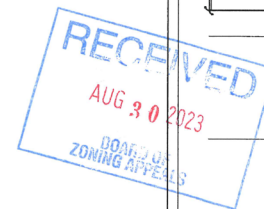




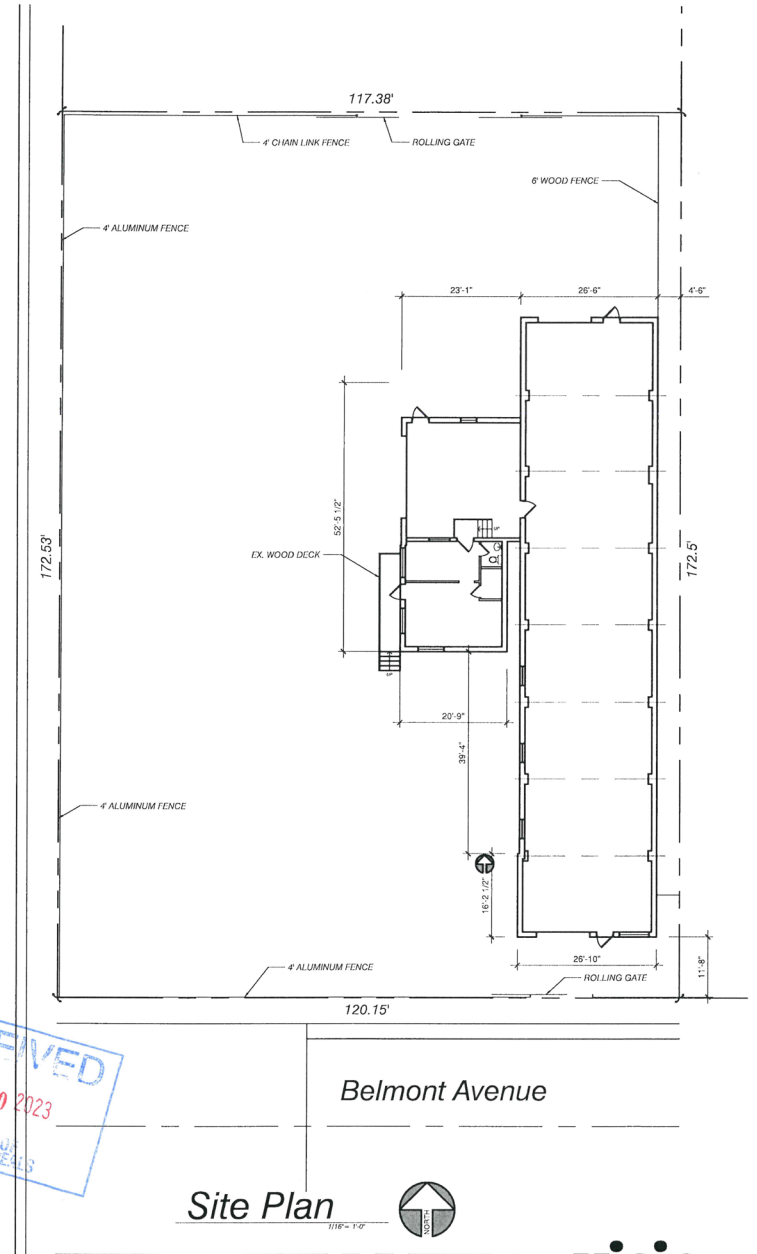




B2H23-158



West 117th Street



B2H23-158

Hemp Processing  
3089 W. 117th Street

Date: 12/23/22

visio ARCHITECTS  
5216 Harrison Avenue, Cleveland, Ohio 44113  
Telephone: 216.357.3342



# Public Hearing

## Calendar No. 23-159:

## 3873 Rocky River Dr.

## Ward 17

George Management Corp, proposes to establish use as barber shop school in Local Retail District. The applicant appeals for relief from the strict application of Section 343.01 which states that for profit, barber school is not permitted in Local Retail Business District but is first permitted in General Retail Business District.

\*Note: CPC approval is required.



# Public Hearing

Calendar No. 23-159:

3873 Rocky River Dr.

Ward 17



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## HISTORY OF THE PROPERTY



# Public Hearing

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**Calendar No. 23-159:**

**3873 Rocky River Dr.**

**Ward 17**



## LEGAL STANDARD







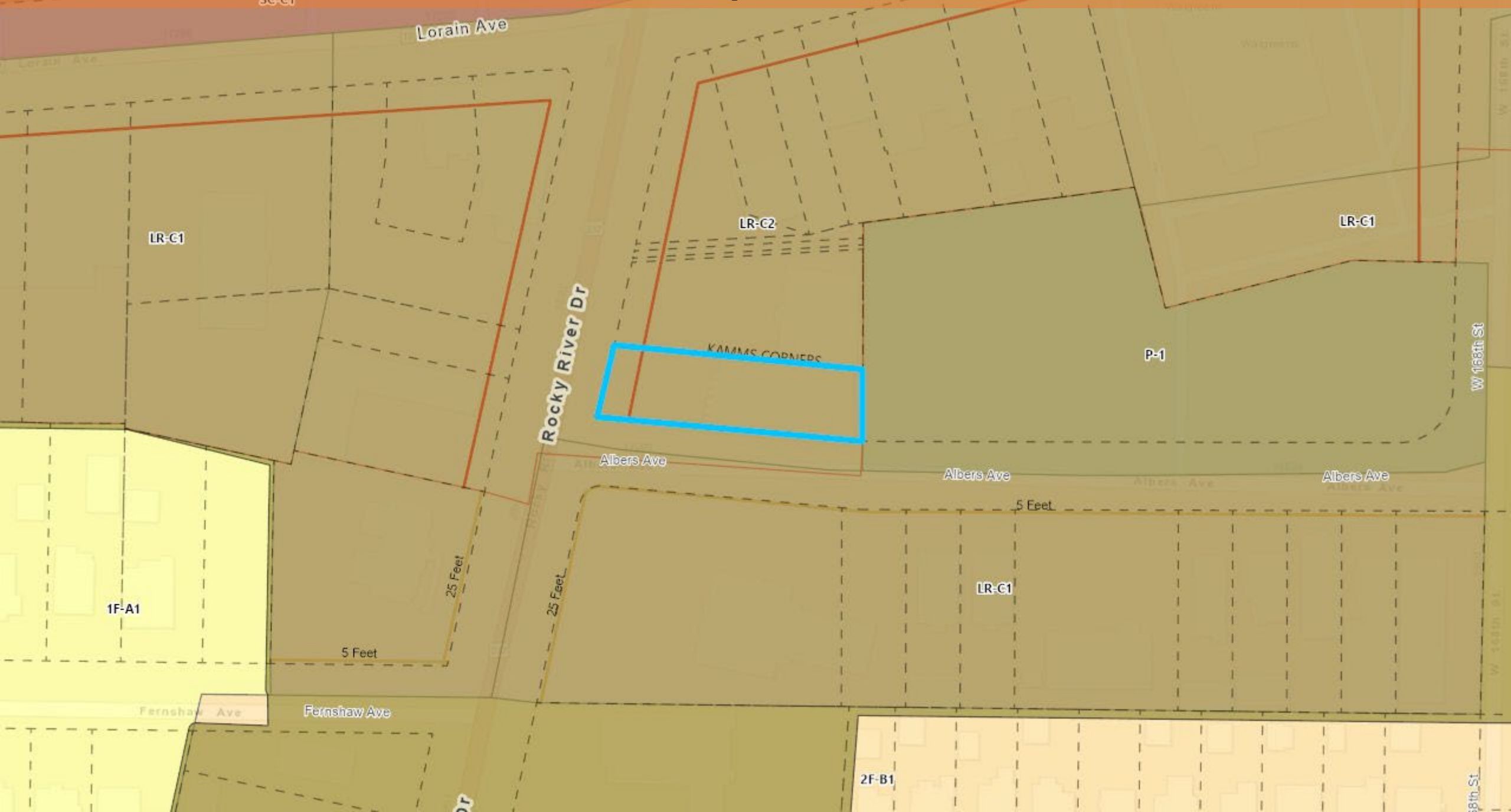
**Calendar No. 23-159:**

**3873 Rocky River Dr.**

**Ward 17**





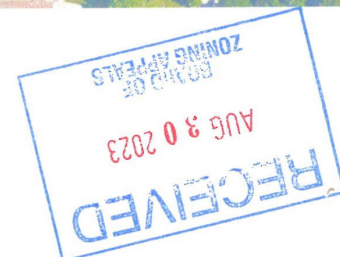


BZA 23-159

SITE LOCATION MAP



WEST PARK BARBER COLLEGE | 3873 ROCKY RIVER DRIVE, CLEVELAND OHIO



AUGUST 22 2023 | 2



SITE PLAN



SITE AREA: 9,882 SF / .23 AC  
CURRENT ZONING: LOCAL RETAIL BUSINESS  
PROPOSED USE: BARBER COLLEGE

PARKING: SECTION 349.04 REQUIRED SPACES  
Vocational Business: 1 for each 2 employees, plus 1 for each 10 seats in a classroom  
based on planned classroom capacity  
Other Retail Services: 1 per 500 sf of floor area based on 1,400 sf of barber shop area

4 EMPLOYEES	2 SPACES
20 INSTRUCTION STATIONS	2 SPACES
OTHER RETAIL SERVICES	2 SPACES
TOTAL REQUIRED	7 SPACES
TOTAL PROVIDED	10 SPACES

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BOARD OF  
ZONING APPEALS

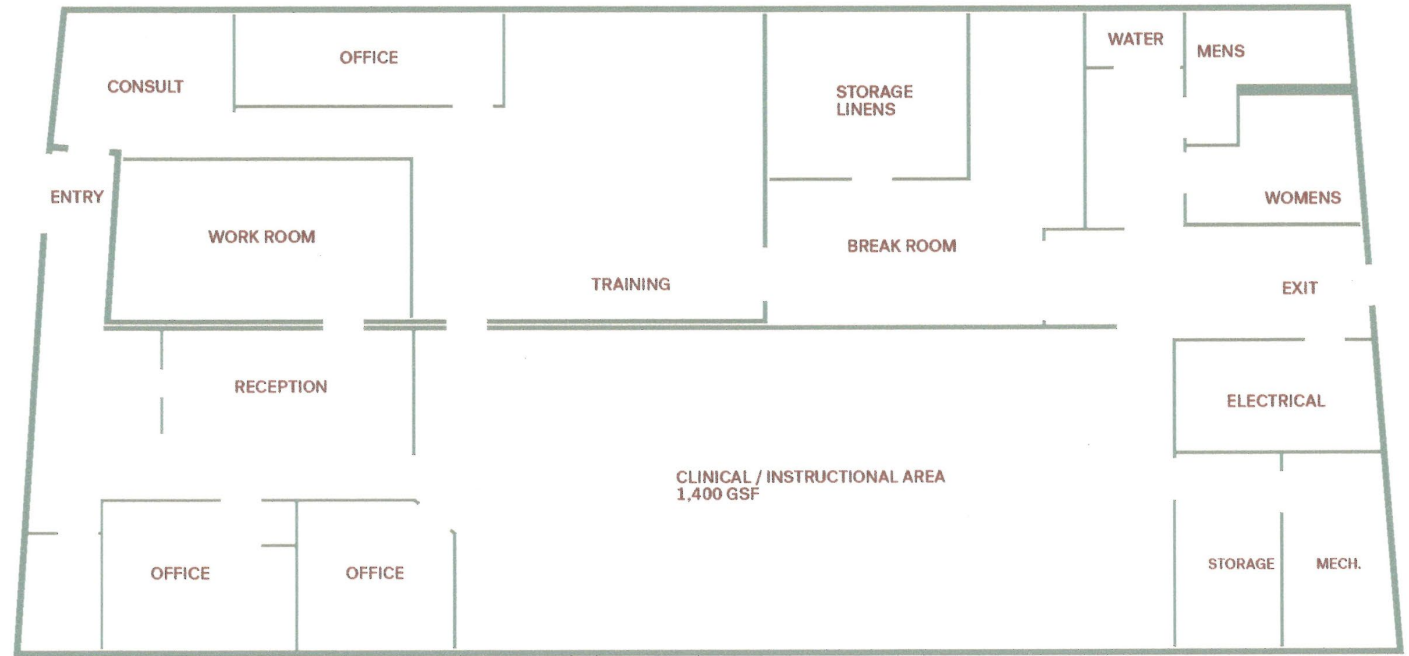
SCALE: 1" = 30'-0"

WEST PARK BARBER COLLEGE | 3873 ROCKY RIVER DRIVE, CLEVELAND OHIO


BZA 23-159



PROPOSED FLOOR PLAN



GROUND FLOOR 5,053 GSF

SCALE: 1/8" = 1'-0" 



# Public Hearing



## Calendar No. 23-160:

## 2050 Spring Rd.

## Ward 12

Pleasurable Childcare, proposes to establish use as Residential Facility for five occupants in an A1 One-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 325.571 which states "Residential Facility" means a publicly or privately operated home or facility, licensed pursuant to state law, that provides accommodations, supervision, and personal care services to any of the following: (a) one (1) or two (2) unrelated persons with mental illness; (b) one (1) or two (2) unrelated adults who are receiving residential state supplement payments as defined in the Ohio Revised Code; or (c) three (3) to sixteen (16) unrelated adults..
- (2) 2. Section 337.03(h) which states a Residential Facility, as defined in Chapter 325 of this Zoning Code, for one (1) to five (5) unrelated persons, is not permitted if located less than one thousand (1,000) feet from another residential facility. Proposed Residential Facility use is within one thousand (1,000) feet from another Residential Facility located at 2212 Tate Ave (ppn#01105021)



# Public Hearing

Calendar No. 23-160:

2050 Spring Rd.

Ward 12



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## HISTORY OF THE PROPERTY





## LEGAL STANDARD







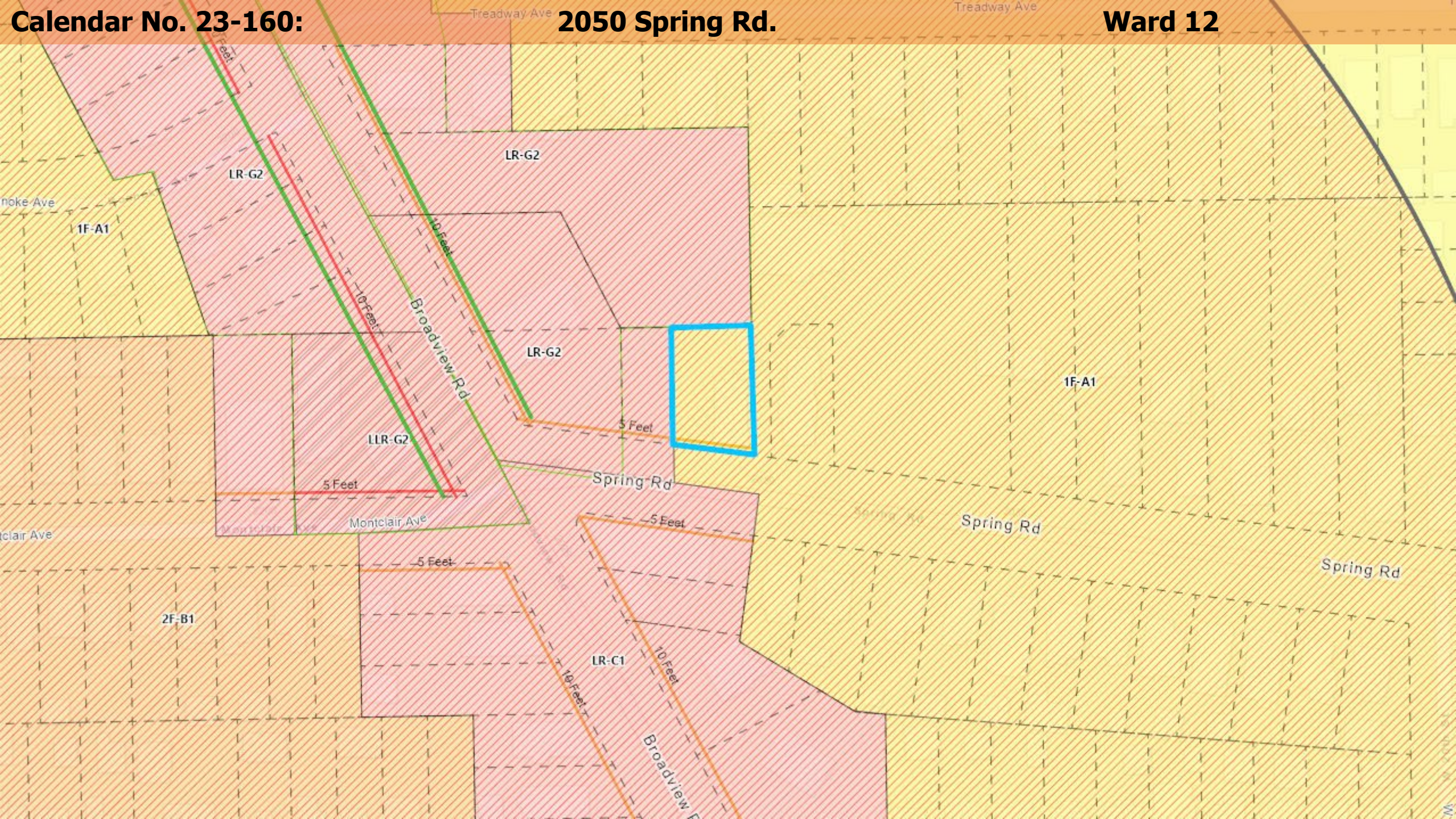


Spring Road

Broadview Road

Montclair Avenue





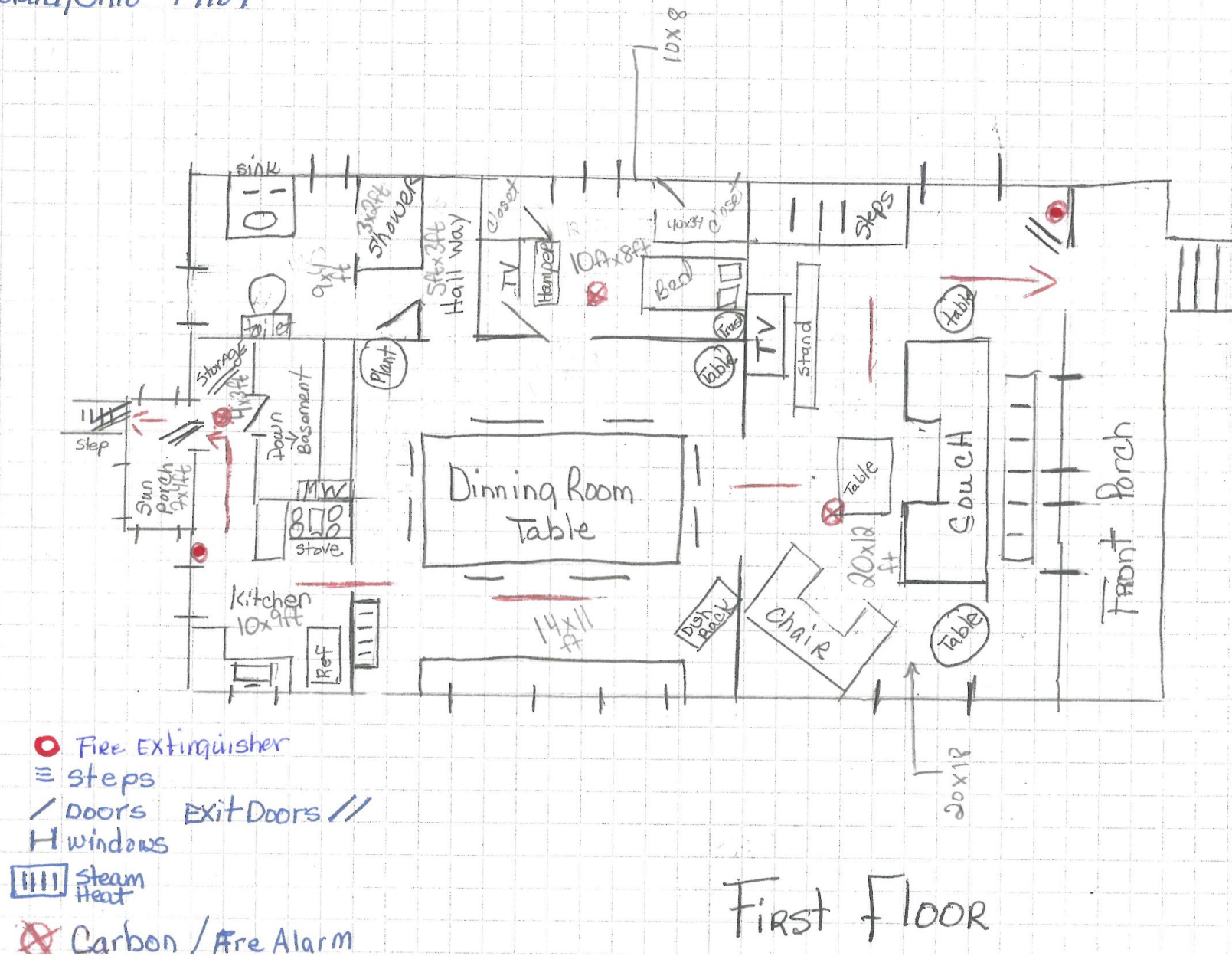
Calendar No. 23-160:

2050 Spring Rd.

Ward 12



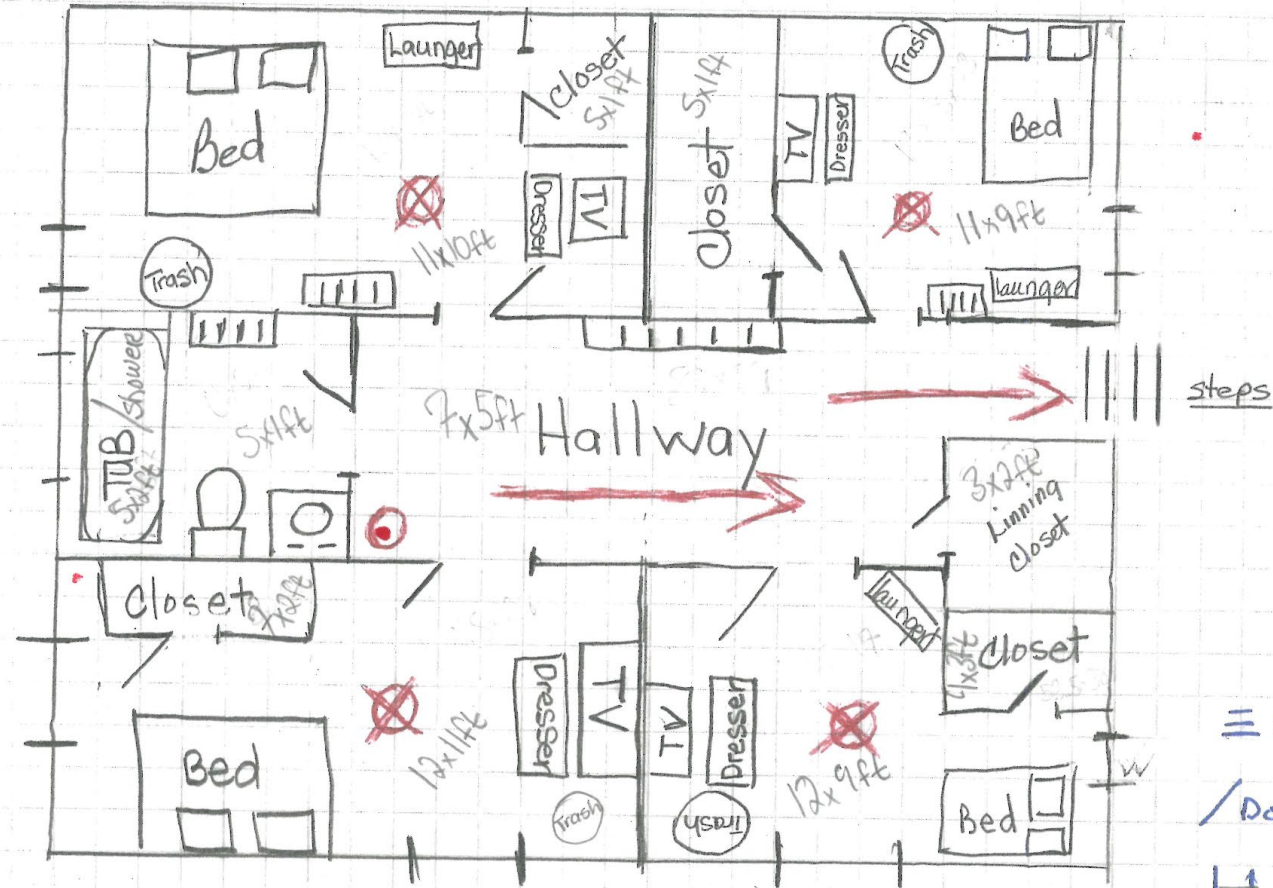
1050 Spring rd.  
 Cleveland, Ohio 44109



First Floor



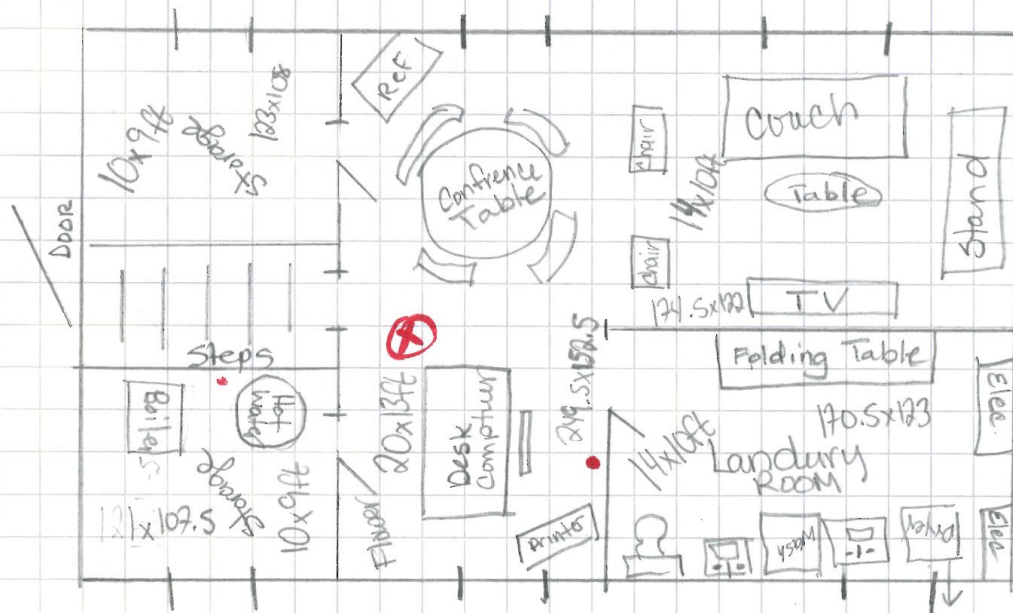
2050 Spring rd.  
Cleveland, Ohio 44109



Second floor

- ≡ steps
- / Doors Exit Doors //
- H windows
- |||| steam heat
- ⊗ Carbon/Fire Alarm
- Fire extinguisher

2050 Spring rd.  
Cleveland, Ohio  
44109



### ≡ steps

⊗ Carbon / Fire Alarm

- Fire extinguisher

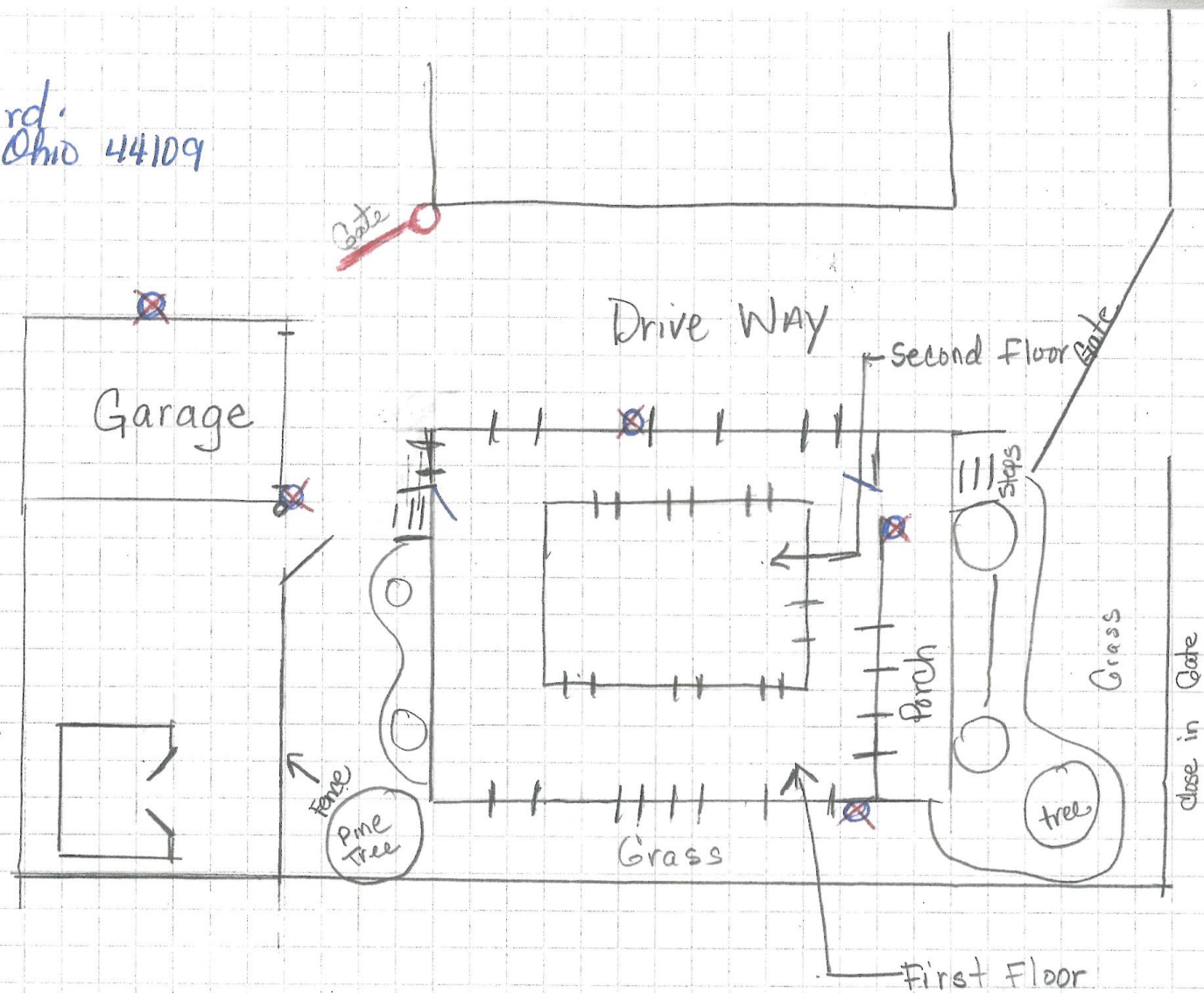
Door


## Windows

Basement  
Office




2050 Spring rd.  
Cleveland, Ohio 44109



 Camara's

 Exit Doors

 Window's



# Public Hearing

**Calendar No. 23-161:**

**1602 Mayview Ave.**

**Ward 12**



Mary Clute, proposes to erect a 6 foot high solid wooden fence in actual side street yard and along driveway (with 3' by 3' sight line at intersection with sidewalk and driveway), in an A1 One Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 358.04(a) which states that fences in actual front yards and in actual side street yards shall not exceed four (4) feet in height and shall be at least fifty percent (50%) open, except that, in an actual side street yard, a fence that is set back at least four(4) feet from the side street property line may be a maximum of six (6) feet in height and may be open or solid. 6' high privacy fence is shown in actual side street yard.
2. Section 358.03(a) which states that all portion of a fence located along and parallel to a driveway within fifteen (15) feet of its intersection with a public sidewalk must be 75% open. No permit obtained for fence labeled as "existing" on plan.





# Public Hearing

Calendar No. 23-161:

1602 Mayview Ave.

Ward 12



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## HISTORY OF THE PROPERTY





# Public Hearing

Calendar No. 23-161:

1602 Mayview Ave.

Ward 12



## LEGAL STANDARD





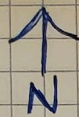






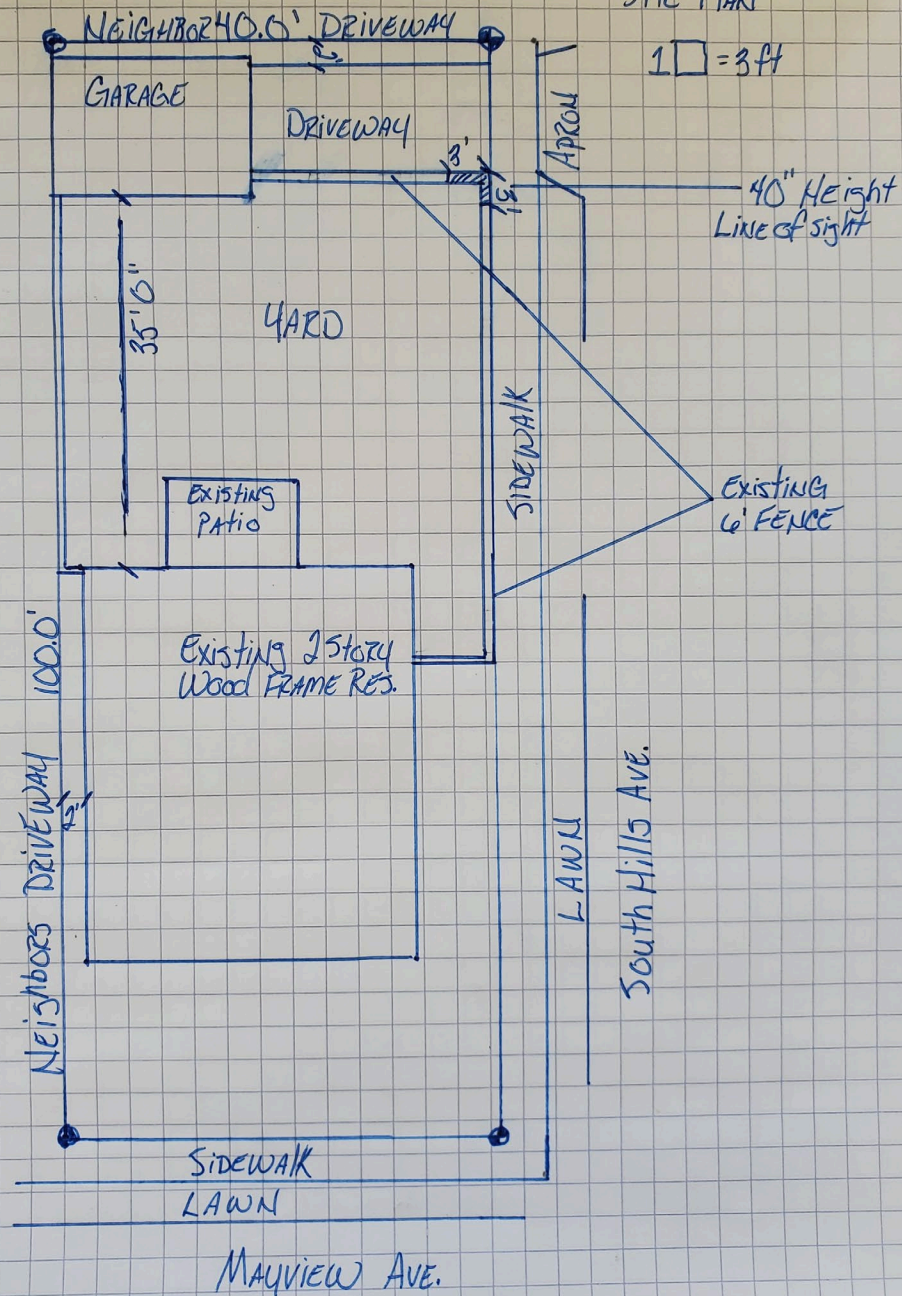






1002 Mayview Ave  
Site Plan

1□ = 3 ft





# Public Hearing

## Calendar No. 23-162:

## 4112 Denison Ave.

## Ward 14

Florencio Perez, proposes an application to use upstairs and downstairs as a beauty salon in a D2 Multi Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.08 which states that a Beauty salon is not permitted in Multi-Family District but is first permitted in Local Retail District 343.01.
2. Section 359.01(a) which states that a substitution of nonconforming use requires BZA approval.





# Public Hearing

Calendar No. 23-162:

4112 Denison Ave.

Ward 14



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## HISTORY OF THE PROPERTY





# Public Hearing

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**Calendar No. 23-162:**

**4112 Denison Ave.**

**Ward 14**



## LEGAL STANDARD

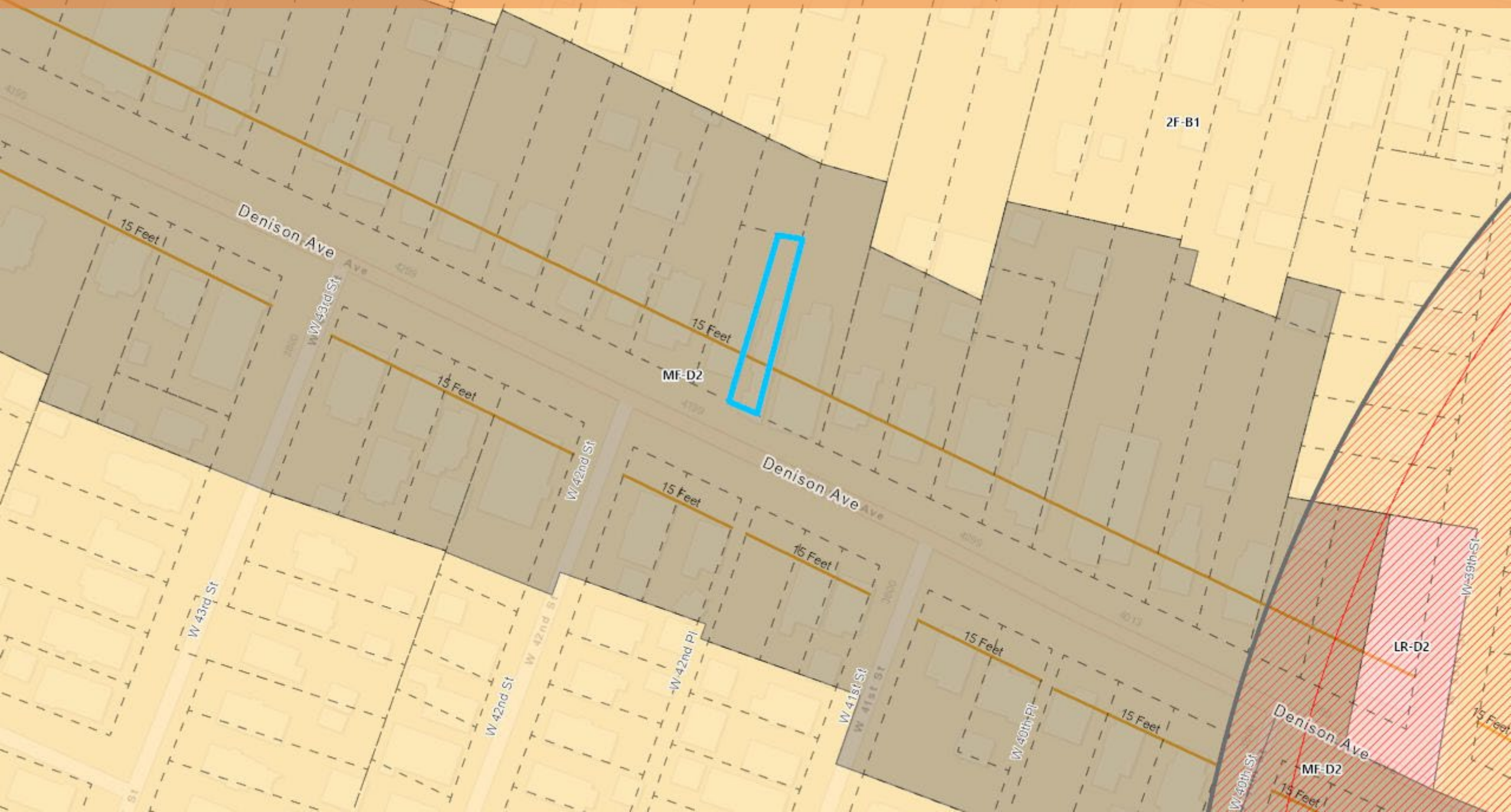








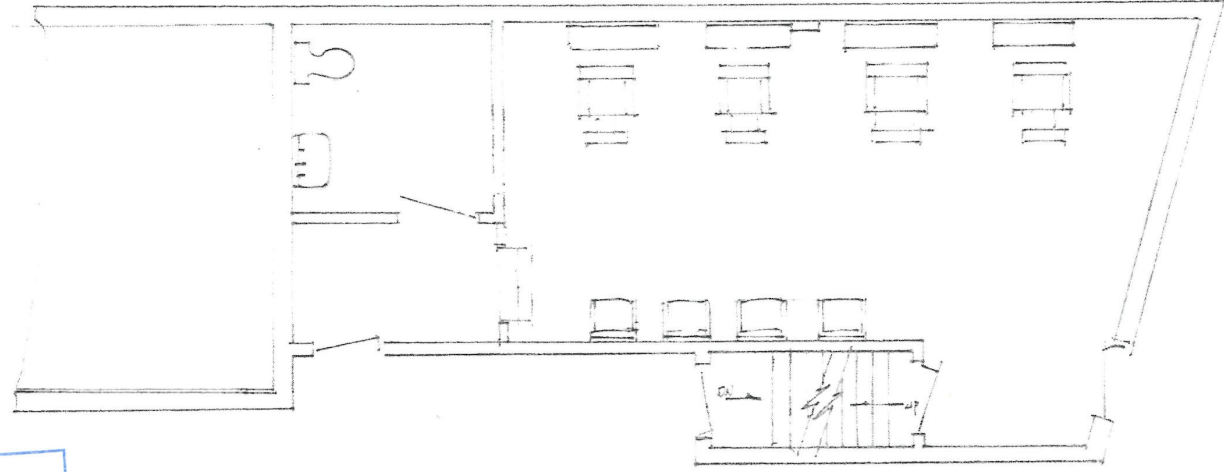






BZA 23-162

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ZONING APPEALS

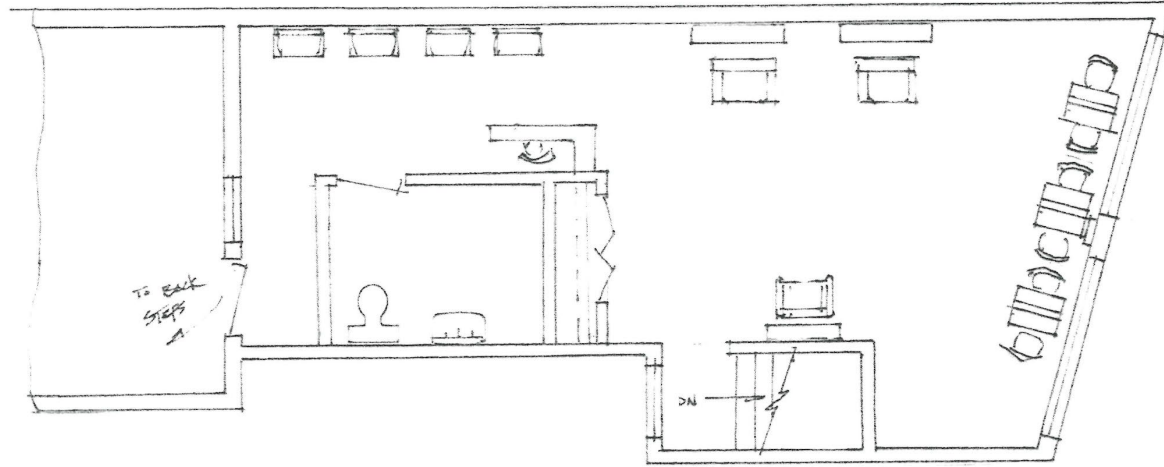


1/4" = 1'-0"

4112 DENISON AVE

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BZA 23-162



2nd Floor Plan  
1/4" = 1' = 3"

4112 DENISON AVE.



# Cleveland Board of Zoning Appeals

## Old Business

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# Public Hearing

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Test





# Cleveland Board of Zoning Appeals

## Adjournment

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